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OBITUARY LORD HORDER OF ASHFORD

G.C.V.O., M.D., D.C.L., F.R.C.P.

1871 – 1955

It is with deep regret that we have to record the death on Saturday 13th August, 1955, of Lord Horder, for many years a Vice-President and latterly President of the Institute for the Study and Treatment of Delinquency.

It is scarcely necessary to recapitulate here the history of Lord Horder's long and distinguished professional career, which has been so fully documented in the medical and general press of this and other countries throughout the world. It is our intention rather to dwell on those characteristics of the man which made him at the same time a great physician and a great humanist, and pay tribute to that enthusiasm for progressive causes which led him in the evening of his life and when his leisure was already heavily over-taxed to champion the pioneer work of the I.S.T.D.

Of his professional career it is sufficient to say that it was one of sustained brilliance. From 1893, when he took his B.Sc. at London University, he acquired one degree after another until in 1904 he was elected a Fellow of the Royal College of Physicians. His hospital record showed the same rapid succession up to his appointment in 1912 as a Consulting Physician to St. Bartholomew's Hospital. To the time of his death he was a prominent member of numerous medical and learned Societies; and played a leading part, twice as President, in the affairs of the British Medical Association. He was in his time Physician in Ordinary to George V, and extra-Physician to the Queen. Knighted in 1918, he was given a Baronetcy in 1923 and was finally raised to the Peerage in 1933. A physician to kings, nobles

and commoners, he nevertheless devoted much of his time to teaching, research and medical politics, and on the advent of state medicine, founded and led with skill and outspoken courage the Fellowship for Freedom in Medicine. Recognized throughout the medical world as an outstanding clinician; sane, sagacious and penetrating in judgment, lucid in exposition, he brought a sharpened intelligence to bear on those problems which beset daily the consulting physician; and his name accordingly will be preserved with honour in the roll of great doctors of medicine.

But, outstanding as were his professional attainments and glittering as was the list of his academic, civil and medical honours, these were by no means his sole claim to distinction. There have been many great doctors who, outside the boundaries of their profession or their immediate circle of friends and pupils, have left no great mark on their times. Quite early in his career Lord Horder gave evidence that the practice of medicine alone did not afford sufficient outlet for his darting mind and keen social conscience. At first his social interests were slanted mainly in a medical direction; indeed it would be no exaggeration to say that he was one of the first and most effective free-lance Professors of Social Medicine. The list of his extra-mural preoccupations is almost as long as that of his activities in pure medicine: birth control, eugenics, prevention of venereal disease, cancer research, education for industrial health, district nursing, child guidance, cremation, smoke and noise abatement, nervous wear and tear in modern society, to say nothing of his war-time activities in the development of air-raid shelters and on behalf of the Ministry of Food. In all these essays in applied medical sociology he manifested the same insatiable interest, industry, imagination and courageous regard for truth as characterized his medical and research activities.

But these were in a sense only a preamble to his graduation to that distinguished band of humanists who by virtue of their eminent position can bring effective influence to bear on the lives of their fellows, who in fact spend themselves in the pursuit of honourable citizenship. It was sometimes said of Lord Horder that he had too many irons in the fire. This was a complete and no doubt envious misreading of the facts. It was impossible to confine Lord Horder's energies and abilities to the channels of an individual speciality, and inevitably, as his mind spilled over these professional boundaries, his activities were directed to matters that concern the community of men. No doubt there were times when, importuned by solicitations from those who supported new movements, his generosity of mind would compel his interest in some particular direction. As the writer of a recent appreciation said, 'People would come to him with a plan; he would suggest how it might be improved; and, before he could turn round, he would

find himself Chairman.' But his continued support was determined by a shrewd foresight which grasped the principles behind the cause.

It was perhaps a mixture of these various motivations that led Lord Horder in the first place to lend the prestige of his name to the Vice-Presidency of the young Institute for the Study and Treatment of Delinquency, and finally, when it became clear that the I.S.T.D. was beginning to languish for lack of public support, to become its first President. It soon became obvious that this was for him no honorary title. At every critical juncture of the Institute's history he would exert his influence on its behalf, render unsolicited financial support, and, on the public occasions of the Institute, carry out the duties of Chairman with a distinction and masterly humour that charmed the not always tractable audiences. And at all times he would show by his counsel an intimate knowledge of the aims and principles for which the I.S.T.D. stands. The truth of the matter is that Lord Horder was a great Liberal, and like all great Liberals was impelled to follow the generous dictates of his reason and imagination. It was the good fortune of the Institute that these sympathetic and discriminating faculties were disciplined by unflinching common sense and clear thinking and at the same time fortified by a capacity to fight for any cause that engaged his interest.

As might be expected, a man of his broad sympathies and fine calibre could not but draw to himself the admiration and affection of those who were privileged to know him in private life. His zest for living, and gift for friendship, his modesty and approachability, his utter lack of pretension and dislike of sham, at times salted by a mordant wit but more often gentled by warm humour, made him one of the most companionable of men. Recalling the many facets of his personality it is hard to abstain from the language of panegyric: yet it is manifestly right and proper to render tribute where tribute is due. The Institute was proud of its President and wishes to record its gratitude for his support and its sense of loss on his death.

EDWARD GLOVER.

MISS BARBARA LOW, B.A.

As we go to press we learn with profound regret of the death of Miss Barbara Low, one of the most distinguished members of the I.S.T.D. who, almost from its inception, took an active part in the Institute's teaching and other staff activities. She was 78 years of age.

Barbara Low was the youngest of a brilliant family and already in the Edwardian era had gained the recognition and esteem of her contemporaries in the cultural movements of the times. Her earlier interests lay in the field of education and, amongst other teaching posts, she held the position of Lecturer to the L.C.C. Training College for Teachers at Fulham. Her

passionate interest in social reform led her to take an active part also in various political and social movements; and she was at one time a prominent Fabian. Miss Low's literary gifts brought her in close contact with the literary and artistic coteries of London; she numbered Shaw, Wells, D. H. Lawrence and many other famous figures amongst her personal friends. There were, indeed, few cultural groups that did not recognize the fine quality, vitality and integrity of her personality, to say nothing of her courage in supporting new movements against any opposition they might encounter.

Following the example of her brother-in-law, David Eder, Barbara Low was soon attracted by the teachings of Freud, was the first woman-analyst to practise in Britain, took part in founding the British Psycho-Analytical Society in 1919 and, amongst many other contributions to the subject, published the first popular text-book on psycho-analysis. Her work for the I.S.T.D. as teacher, lecturer and member of its Education Committee was of a high order and her death is a severe loss to the Institute. We sincerely hope that the memory of her colourful personality will be preserved for later generations in an appropriate biographical memoir.

E. G.

EDITORIAL

Dr. Franks' article on 'Recidivism, Psychopathy and Personality' is not only supplementary to the series published in our last (Congress) Number on recidivism; it raises a number of theoretical and practical issues which closely concern both 'normal' and 'abnormal' psychologists, in particular the validity of the various 'dimensions of personality' outlined by Eysenck, using the concept of a 'continuum' from normal to abnormal. Dr. Franks seeks to correlate two of these 'dimensions', viz. 'neuroticism' and 'introversion-extraversion' with the Pavlovian concepts of the conditioned reflex and of cortical processes of excitation and inhibition, and proceeds to apply these correlations to psychopathy and recidivism.

From the theoretical point of view no dynamic psychologist would seek to deny the importance of constitutional factors in any mental disorder, though he may well deprecate the emphasis laid on them by Dr. Franks. He may maintain further that findings of this kind neither solve the practical problems of treatment nor illuminate differential etiology. If he should also happen not to be a Jungian, he may question the utility of general categories such as 'introversion' and 'extraversion' which Jung himself sub-divided in no uncomplicated manner. It may be argued, for example, that however introverted his normal character, the delinquent is exquisitely extraverted in respect of his delinquent behaviour. However this may be, he will certainly oppose any theory which by-passes the, to him, essential

problem of the psychic development of 'pre-disposition', particularly in its unconscious aspects, a matter which cannot be settled by the most rigidly controlled experiments in sound-proof conditioning laboratories. Nevertheless, the alliance between the laboratory psychologist and the clinical psychologist is a significant sign of the times, and we shall await with interest the more detailed application of 'dimension' theory.

Mr. Rose's article presents a further contribution to the study of groups in correctional institutions and of the various applications of sociometric techniques in this and kindred fields, to which two previous papers in this Journal were devoted (see John James, Vol. V, No. 4, and E. F. Piercy, Vol. II, No. 3). It is also closely related to the author's 'Five Hundred Borstal Boys' and the recent, Home Office sponsored, 'Borstal Prediction Study'. An interesting feature of Mr. Rose's research in the North Sea Camp Borstal Institution is the comparison between the results of sociometric choices made by the boys and the observations of their Housemasters on their ways of grouping in different circumstances. The present article, which is mainly concerned with a critical review of the literature and the subject of group relations in Borstal Institutions in general, is intended as an introduction to the analysis of one particular instance of such grouping which, it is hoped, will be published in one of our subsequent issues.

We feel tempted to add a rider to Dr. Scott's commentary on the enterprising investigations of Atcheson and Williams on the intake procedure followed at the Toronto Juvenile and Family Court (this issue). The first point considered by the authors, viz. who should initiate the referral, cannot be entirely divorced from an assessment of the conditions under which observation is carried out. To those who favour the development of out-patient delinquency services run, as in the case of the *Portman Clinic (I.S.T.D.)*, by the Ministry of Health, the fact that apparently most of the Toronto cases referred (55-60 per cent. of the total) are detained for approximately a week in an official Observation Home cannot but be disquieting, running counter as it does to the policy that the care of juvenile delinquents should whenever possible be delegated to clinics having no official connection with the Court and that observation should be carried out whenever possible without any use of compulsory detention. To be sure, this does not affect the subsequent observations of Drs. Atcheson and Williams; but it does suggest that if, as they appear to argue, the Juvenile Court Judge should be the official keeper and executor of the public conscience, it is also necessary that his activities should include a careful restriction of compulsory residence, however short, at official institutions.

A STUDY OF THE INTAKE PROCEDURE IN A JUVENILE COURT CLINIC

BY J. D. ATCHESON (TORONTO) AND
D. C. WILLIAMS (TORONTO)

Over the past few decades, as mental hygiene clinics have been established and have gained an increasing degree of social acceptance, it has been necessary to develop intake procedures as a screening device in order to utilize efficiently the limited services available to a given community. The Juvenile Court, which possesses clinical services as an integral part of its organization, must obviously utilize a somewhat different intake procedure from those of other clinical services which are less directly involved with legal structures and the constitutional rights of the individual on the one hand and with the public demand for protection against the behaviour of the offender on the other.

It is generally accepted in out-patient psychiatric treatment centres, and in other community mental hygiene clinics, that an intake interview with a trained psychiatric social worker, usually followed by an intake conference with other members of the professional team, is an efficient way of determining whether the patient can utilize the service of the clinic and whether the service meets his needs. In the Juvenile Court Clinic, which is set up primarily to offer a diagnostic service to the court, this standard intake procedure is obviously not applicable.

The child brought to the court by police, parent or agency, is charged with being a juvenile delinquent in that he did commit a certain offence contrary to local or federal statutes. The intake of children into the services that the court has to offer is instituted, on the primary hearing, by a Judge, in order first to prove that the allegations concerning the child's behaviour are true. If the child is adjudged delinquent at this hearing, the Judge then decides whether or not clinical assistance is needed to determine the disposition of the case. It is our opinion that this procedure cannot, within our social structure, be supplanted by any form of pre-trial investigation

and that we must depend on the Judge to initiate the clinical investigation by requesting it. Pre-trial investigations frequently delay the appearance of the child before a court for such a lengthy period of time that the seriousness of the act is forgotten. A close relationship of the first hearing to the act that made that hearing necessary is of significant value and should never be underestimated in its importance.

Delinquency or the phrase 'juvenile delinquent' are legal and not psychological terms,¹ and therefore the child is not a delinquent until he has been found so by a court. Accepting this definition, it then follows that the clinic must basically limit its function to those adjudged to be delinquent. If intake were relegated to a clinical function, the clinic would invariably become a device for the securing of evidence and would hence be involved in situations that would threaten professional ethics. The intake being the prerogative of the Judge, several important principles are achieved. These principles appeal to us as being: (1) The clinic is able to approach the problem on a completely ethical basis in that information gathered concerning the child is not used in evidence in his trial. The clinical term therefore appears to the child as a helpful, reassuring contact rather than a thinly-disguised gestapo. (2) The clinic can then function within the ancient and fundamental proposition of British justice that the offender is innocent until adjudged delinquent. (3) A social principle is also involved in that the child brought before a Juvenile Court is, usually for the first time, subjected to a discipline other than that administered by his parents and immediate family, and consequently a learning process concerning the social structure takes place. The objective of this learning process is that the child should become aware that his conduct is being evaluated in order that justice shall be obtained.

Because of its desire to protect the child from the full rigour of the law, society has vested in the Juvenile Court Judge exceptionally wide discretionary powers, on the assumption that these will be exercised primarily for the benefit of the child and, secondly, for the protection of society at large. As a consequence of these powers, it is easy to under-emphasize the basic principles of the administration of justice in an over-concern for the child and his problem. An example of this lack of balance would be the surrendering by the Judge of his prerogative to order clinical investigation at his discretion, in favour of a pre-trial clinical investigation of all cases brought before the court. In addition to these objections in principle, the

¹ Bovet, L., 'Psychiatric Aspects of Juvenile Delinquency'. World Health Monograph Series.

practice of the pre-trial investigation imposes a most absurd and unnecessary delay between the time of the offence and the time the offender is sent to trial. This constitutes a denial of the psychological principle that the consequence of an act must quickly follow its commission if the whole is to result in a learning process.

For these basic reasons it is our opinion that the Judge is the proper person to administer intake procedures. The Judges themselves sometimes feel ill at ease in accepting these responsibilities. Watson,² an English Juvenile Court Justice, in a recent publication makes a very reasonable demand for some specialized and intensive training of Juvenile Court Judges and Magistrates, in order to administer this important function. For all these reasons it becomes important to examine the bases on which Judges who *do* exercise this function reach their decisions. The following study is based on the referral procedure of the Judges of the Toronto Juvenile and Family Court.

In this court the Judges refer between 55 and 60 per cent. of all first offenders appearing before them. In the Judges' opinion, those referred are the most 'serious' cases they see. The majority of these children are detained for approximately a week in an Observation Home, in order that physical, psychological and psychiatric examinations may be completed. In addition, a complete social investigation is carried out consisting of a detailed social history, investigation of environmental conditions, contact with other social agencies and institutions who are familiar with the family structure. Occasionally clinic cases are allowed to return to their homes during this remand period. Following the clinical investigation, conference, etc., a summary and recommendations are prepared for the court and the child reappears before the Judge, when a final disposal is made. The cases not referred to the clinic, by contrast, are usually disposed of at the first hearing, thereby avoiding detention, clinical examination and reappearance in court.

The present study is a necessary complement to further research because the only cases on which data are available for systematic study of juvenile delinquency are those referred to the clinic. As a result of the intake procedures described, they are not a genuinely representative sample of the total delinquent population appearing before the court. The very judgment which the bench is called upon to exercise makes it impossible that this situation can ever be remedied by the simple expedient of asking Judges to provide the clinic with a random or representative sample of all cases appearing before them. This, however desirable from a research viewpoint,

² Watson, 'The Child and the Magistrate'. (London: Jonathan Cape. 1950.)

is highly undesirable from the human and legal viewpoints. The only alternative available within the realities of the court situation is the attempt to define and exhibit some of the bases used in reaching the referral decision. Until these factors are identified most, if not all, delinquency research must be based on biased population samples. It should therefore be possible to indicate this bias by carefully assessing the influence of the charge on clinical referral. In the present study it was hypothesized that the Judge would be influenced by the nature of the charge which brought the child to court. This hypothesis was investigated, even though the Judges, who were consulted in advance, held that they were not influenced by the charge and instead made their decisions on the basis of the child's apparent situation and needs in so far as these could be determined by direct examination in the courtroom.

Design. The method of investigation was simply to compare clinic referrals to non-referrals in terms of charges laid, to determine whether or not the number of each varied significantly with the nature of the charge. The twelve-month period of 1st July, 1951, to 30th June, 1952, was selected and all cases appearing before the court within this period were examined.

Controls. In order to secure as homogeneous a sample as possible, the following controls were employed. (1) The sample was restricted to first offenders only. Recidivists were eliminated since they are almost automatically referred to the clinic. (2) 'Occurrences', that is, cases dealt with on a counselling basis but without a charge being laid, were eliminated. (3) Similarly, cases where the charges were dismissed or withdrawn were eliminated. (4) When one child was charged at a single hearing with more than one offence, the most serious offence was recorded. (5) If a first offender appeared in court more than once in the twelve-month period under study, his first offence only was recorded.

This procedure yielded 566 cases, comprising all the first offenders actually charged and proceeded against in the twelve-month period. The number 566 thus refers to that number of different children, each charged with one offence.

Categorization. There was a total of thirty-two different charges laid against these children. Since many of these were very similar, it was decided to reduce this large number to a few broad categories, a procedure which would permit meaningful statistical analysis. As a first step in categorization, we consulted the Criminal Code of Canada, but it quickly became apparent that most of its categories were not relevant to children's offences. We then devised our own categorization on an *a priori* basis, which derived mainly from an examination of the charges actually laid. A categorization scheme was set up and defined as follows:

TABLE I

<i>Category</i>	<i>Definition</i>
1. Stealing	To include all charges of unlawfully taking another's property.
2. Nuisance	To include all acts of mischief, disorderly conduct and similar irritations to the public peace.
3. Sex	To include all charges involving breaches of the sex mores.
4. Behaviour disorders	To include all charges which suggest emotional disorder, anti-social behaviour, failure to adjust to social standards, etc.
5. Miscellaneous	To include otherwise unclassifiable offences.

These definitions, together with the 32 charges, listed in alphabetical order, were presented to four court officials.³ The four were asked to categorize each charge and their opinions were then compared. The minimum criterion for acceptance of a categorization was agreement among any three officials. All charges falling below this minimum were automatically classed as 'miscellaneous'. The remarkable extent of agreement achieved is summarized in Table II.

TABLE II

1. Unanimous agreement (24 out of 32 charges).

<i>Stealing</i>	<i>Nuisance</i>	<i>Sex</i>	<i>Behaviour Disorders</i>
Attempted—	Breach of by-law	Indecent—	Abduction
Break and enter	Disorderly	Act	Incorrigible
Robbery	Disturbance	Assault	Truant
Shopbreaking	Nuisance	Exposure	Vagrant
Theft	Trespass	Immorality	
Breaking and entering			
Conspiracy to rob			
Receiving stolen goods			
Robbery			
Scalping tickets			
Shopbreaking			
Theft			

2. Agreement among 3 of the 4 Judges (4 of 32 charges).

Breach of Highway Traffic Act	Shoot with intent
Obstructing R.R. track	
Property damage	

3. Disagreement (*i.e.* the miscellaneous category: 4 of 32 charges).

Assault	Breach of Liquor Control Act
Possession of weapon	Wounding

Showing extent of agreement reached by four independent Judges in categorizing 32 charges.

³ The Sr. Judge of the Court, Court Clerk, Director of the Clinic, Psychological Consultant.

As the table shows, complete agreement occurred in classifying 75 per cent. or 24 of the 32 charges; minimal acceptable agreement, another 12.5 per cent. or four charges, and disagreement on another 12.5 per cent. or four further charges. In other words, a satisfactory categorization was secured for 87.5 per cent. of the charges. Having thus established the validity of the categories, they were used as a basis for analysing the intake procedure.

Results—

TABLE III

<i>Category</i>	<i>N</i>	<i>Per cent</i>
Stealing	354	62.5
Behaviour disorders	98	17.3
Sex	20	3.5
Nuisance	76	13.3
Miscellaneous	18	3.2
TOTAL	566	99.8

Table III shows the incidence of cases under each of the categories used. Stealing alone accounts for the majority of first offenders, while behaviour disorders and nuisances each account for a significant minority. There are very few sex cases and very few in the miscellaneous (disagreement) category.

TABLE IV

<i>Category</i>	<i>Referred</i>		<i>Not referred</i>	
	<i>N</i>	<i>Per cent</i>	<i>N</i>	<i>Per cent</i>
Stealing	208	58.2	146	41.8
Behaviour disorders	73	74.5	25	25.5
Sex	18	90.0	2	10.0
Nuisance	11	14.7	65	85.3
Miscellaneous	6	33.3	12	66.7
TOTAL	316	55.8	250	44.2

Table IV shows the number and percentage of referrals and non-referrals for each category and for the total population, regardless of category.

This latter figure (55.8 per cent.) becomes the baseline with which the percentage by categories may be compared. These results are more clearly seen in Fig. 1.

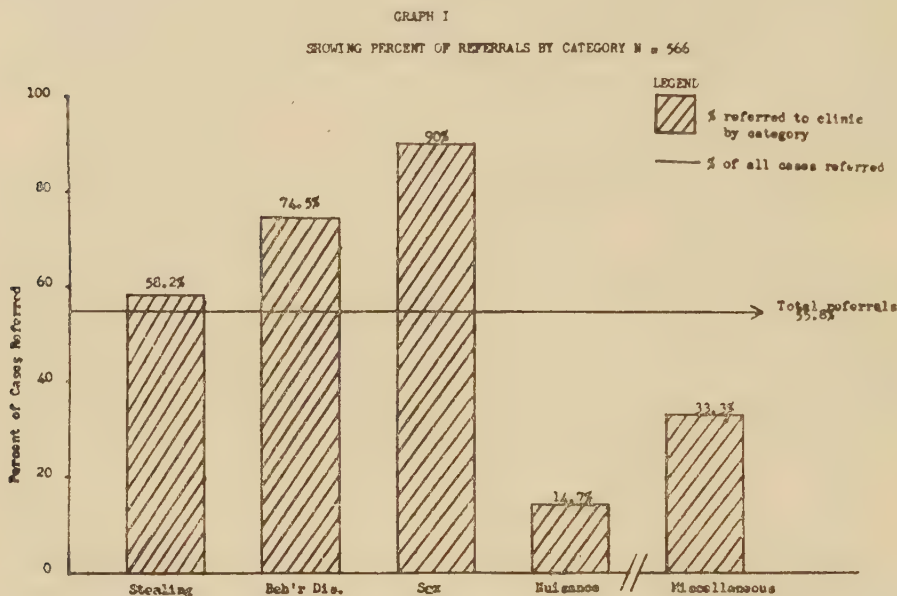


FIG. 1.

This graph shows, by vertical bars, the percentage of cases referred in each category. It also shows, by a straight line, the percentage for all cases, regardless of category. Whereas the percentage for stealing closely approximates to this total, the other categories all show more or less sharp deviations from it. It will be seen that almost all sex cases are referred but that very few nuisance cases are. In addition, a substantial majority of behaviour disorders are referred, but not as many as the sex cases. The miscellaneous category results are given only to complete the data and are not of intrinsic significance to this analysis.

Conclusions. (1) In order to investigate the problem of court referrals, it became necessary to categorize the charges which brought the children into court. It was found that such a categorization could be validly established and that it could then serve as a basis for the main purpose of the investigation. (2) It is concluded that the nature of the charge does influence the Judge's decision *re* referral. The influence is positive when the charges involve behaviour disorders and sex offences, negative when nuisance charges are involved. (3) Stealing exerts no significant influence on the referral decision.

Discussion. As indicated earlier, clinic referrals are those cases which the Judges regard as most serious and difficult.

As the results show, stealing does *not* influence the referral decision. This, taken together with the fact that stealing charges make up the majority of all cases appearing in court, provides simple numerical confirmation of the Judges' opinion that they are not influenced by the nature of the charge in reaching a referral decision. This opinion, however, fails to recognize the qualitative differences in charge categories. It is, therefore, true that Judges are influenced by the nature of the charge in a substantial minority of cases. Furthermore, the comparison of the incidence of sex, behaviour disorder and nuisance referrals shows that they directly reflect the mores of the society in which the Judges operate. Our society frowns on and is shocked by adolescent sexual immorality. Clearly the Judges reflect this moral concern in referring almost all these cases. Contrariwise, society views mischief and nuisance in adolescents with a certain complacent tolerance. 'Boys will be boys', it says, and again the Judges accurately reflect this viewpoint in their marked tendency to deal with such cases immediately rather than referring them to the clinic.

Experience (and statistics) leads judges and society to expect stealing behaviour in delinquents. 'Boys will steal but they must be taught not to', summarizes the social attitude. Since the categorizing covers so broad a field, the Judge is free to reach his referral decision in terms of the child's needs and social situation.

Finally, behaviour disorders are socially regarded as 'serious' rather than 'shocking', 'maladjusted' rather than 'immoral'. This appraisal, which qualitatively fits somewhere between stealing and sex on a scale of seriousness, is nearly reflected quantitatively in that its referral percentage falls midway between the other two.

In general, it appears that the *rôle* of the Juvenile Court Judge is that of official keeper and executor of the public conscience, acting within the sanctions provided by law. While this interpretation has broad and general validity in terms of the present study, it would be a serious misinterpretation to assume from it that Judges are swayed by the whims of current opinion, or by the publicity which attends certain of the more shocking offences with which they have to deal. This was clearly demonstrated in an earlier study of sex offenders.⁴ Although many of the cases studied were shocking to the public, their disposal by the court in no way reflected this vengeful attitude.

⁴ 'A Study of Juvenile Sex Offenders', J. D. Atcheson, D. C. Williams, *American Journal of Psychiatry*, Vol. III, No. 5, November, 1954.

The point is that the basic, accepted social values, which the Judge upholds as a member of the culture, provide him with a framework within which to assess the seriousness to the child and to society of certain categories of offence. These categories, it is suggested, operate as indicators or symptoms of potential underlying maladjustment and, as such, the offender falling within them may be referred to the clinic for detailed study and report.

From the research standpoint, it follows that studies of clinical cases can yield almost completely unbiased results on sex cases and are fairly dependable for behaviour disorders. Contrariwise, the degree of bias in referring stealing cases remains an unknown. It can be definitely concluded that, since so few nuisance cases are referred, this category cannot be studied on the basis of clinical data.

If the interpretation of the Judge as the keeper of the public conscience and executor of the social mores be assumed as noted, then the method of investigation here employed could be adapted for the study of regional variations in such mores, as well as providing an objective basis for intercultural studies. This, if adopted, would avoid the difficulties inherent in the traditional anthropological approach of merely criticizing one culture on the basis of the values of another.

Summary. The study presented a defence of the principle that the juvenile court judge should act as the intake for the court clinic. Because of the importance of the intake as a selective screen, the study attempted to investigate the degree to which Judges are biased in their referrals by the nature of the charge. Charges were successfully reduced to a series of four valid categories and these were examined in terms of 566 first offenders, 55 per cent. of whom were referred. It was found that sex charges clearly predispose in favour of referral as do behaviour disorders. Nuisance cases are very seldom referred and the stealing category, which includes the majority of offenders, does not predispose either way. The social implications of the findings were discussed.

Dr. Peter Scott (London) comments:—

Following Healy's and the Gluecks' pioneer studies on the 'intake' of juvenile court clinics, some work on the subject has appeared outside the United States. In this country Burt, Watson and Scott may be cited, while in the April 1953 issue of this journal Clouston and Lightfoot reviewed a series of delinquents referred by Kent magistrates to child guidance clinics.

Now, from Canada, Drs. Atcheson and Williams make a contribution specifically on 'intake procedure'. The reason, or one of them, for the paucity of work on the rich flow of clinical material passing through remand homes and juvenile court clinics is implicit in their work—the difficulty in knowing how the material is selected and how it compares with that which is not referred. Their paper, which attempts to define how magistrates reach their 'referral decisions', is therefore very welcome.

To ask whether the magistrates are influenced by the nature of the offence or by the apparent situation and needs of the case, is perhaps narrowing unnaturally the complex available criteria, especially as we learn that, outside this series, those who repeat offences are referred 'almost automatically'. It is legitimate, however, to simplify the material, and the aim of validating a workable classification of offences is a valuable one. Three of the categories are descriptive, but the fourth is based on an assessment of emotional disorder. The total material is therefore classified according to the nature (description) of the offence on the one hand, and by an impression of the offender on the other; as the utilization of just these two factors is the main issue under consideration, it might have been preferable to keep strictly to description.

The findings, besides their considerable intrinsic interest, are valuable and stimulating especially in suggesting numerous other lines of investigation. What differences would appear between those stealers who were referred and those almost equally numerous who were not? What additional criteria prevented the referral of those individuals (25 per cent. of category 4) who were presumably showing signs of 'emotional disorder'? What would similar studies, in which age might be considered in relation to type or frequency of offence, show? To what extent is the material differentially selected before appearing in court? It might be supposed that there is more reluctance in certain cases to refer sex offences in children than those offences which, in the public mind, are less highly charged emotionally.

RECIDIVISM, PSYCHOPATHY AND PERSONALITY

By C. M. FRANKS (LONDON)

Much has been written about the recidivist delinquent and the factors which contribute to his recidivism. In particular, attempts have been made to relate recidivism to intelligence, but the findings to date have failed to reveal any consistent relationship. Thus, Frank (1931), Glueck (1935), and Shulman (1950) obtained results which suggest that recidivism is related to low intelligence; Calhoun (1928), Hill (1936), and Hartmann (1940) obtained results suggesting that recidivists are of higher intelligence than non-recidivists. On the other hand, Lane and Witty (1935), Kirkpatrick (1937), and Merrill (1947) failed to find any significant relationships between recidivism and intelligence. Marcus (1955) tested the hypothesis that the greater the number of offences committed by a criminal the lower would be his intelligence; he also failed to find any significant relationships between intelligence and frequency of criminal conviction, between intelligence and age at the first recorded conviction, or between intelligence and Approved School (or Borstal) failure. In reviewing the problem of recidivism as related to intelligence, both Merrill (1947), and Woodward (1955) conclude that so far no consistent relationships between intelligence and recidivism have emerged. It is therefore possible either that recidivism is unrelated to intelligence or, more likely, that although intelligence may play an important rôle in the recidivism of any individual, it is not a crucial factor in describing or explaining recidivism as a phenomenon.

If this is so, then it may be more profitable to try to relate recidivism to some other fundamental dimension of personality. Before doing this it is necessary to discuss briefly those dimensions which we consider to be fundamental. By a series of factor analytic studies Eysenck and his colleagues (1947, 1952, 1953) have demonstrated that human 'personality' can be resolved into certain mutually independent dimensions, along each of which all individuals have quantitative scores and hence positions. The dimensions so far established are intelligence, neuroticism, introversion-extraversion and, more recently, psychoticism (Eysenck, 1952a). We shall not consider here the possibility of any determinable relationships between recidivism and psychoticism since psychotic delinquents and recidivists are

comparatively rare; the dimensions we shall be primarily concerned with are introversion-extraversion and, to a far lesser extent, neuroticism (the reason for this choice will become apparent shortly).

The relationship between these two dimensions and the usual psychiatric grouping is apparent from Fig. 1. It has been found that dysthymics (anxiety states, obsession-compulsives and reactive depressions) have high scores on tests of neuroticism and tests of introversion and low scores on tests of extraversion, whereas hysterics and psychopaths tend to have high scores on tests of neuroticism and extraversion and low scores on tests of introversion. Systematically establishing these mutually independent dimensions of personality is a necessary descriptive procedure, but it is not sufficient in itself; it is even more necessary that these dimensions be placed upon some firm causal basis if an adequate theory of personality is to be developed. This Eysenck and his colleagues are proceeding to do. It is the dimension of introversion-extraversion that has received most attention in this respect, so far, and it is this dimension to which we shall attempt to relate recidivism in the present paper.

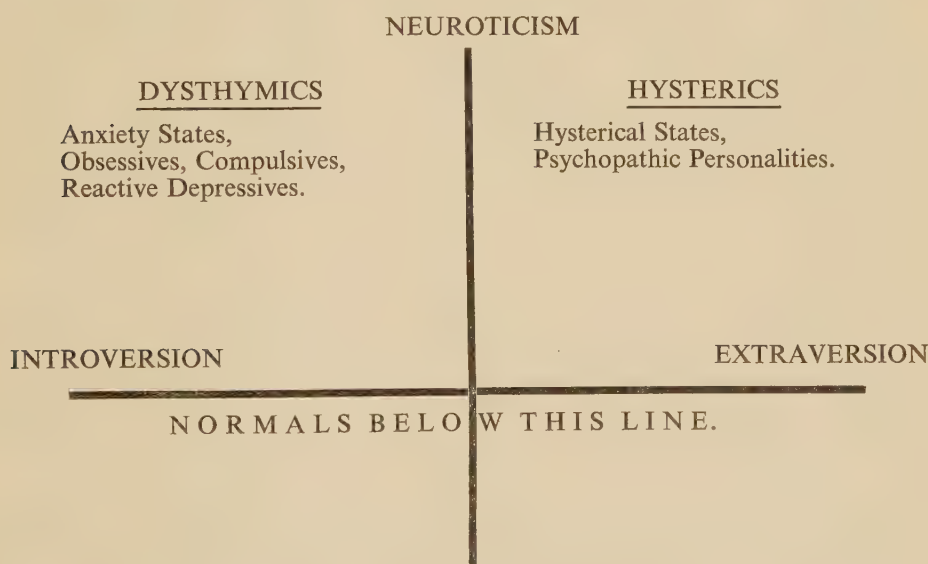


FIG. 1. A REPRESENTATION OF THE ORTHOGONAL DIMENSIONS OF NEUROTICISM AND INTROVERSION-EXTRAVERSION.

One starting point in establishing a causal basis to introversion-extraversion is the well-known work of Pavlov (1927, 1928, 1941) who, after considerable experimentation and discussion of 'neuroses' in animals and in man, postulated that hysterics possessed an exaggeration of the 'inhibitory process'. Now, since he had also indicated that dogs who formed

conditioned reflexes very poorly possessed an exaggeration of cortical inhibition and that dogs who formed conditioned reflexes very well possessed an exaggeration of cortical excitation, we may make the prediction that hysteric patients should form conditioned reflexes poorly, and that anxiety neurotics, etc., should form conditioned reflexes very well. This prediction was confirmed by the present writer (1956) in the sound-proof conditioning laboratory (Franks, 1955), developed especially for the purpose of studying various conditioned reflexes in humans under rigidly controlled experimental conditions. It was found that dysthymic neurotics formed conditioned reflexes very easily and that these reflexes were difficult to extinguish, whereas hysterics and psychopaths formed conditioned reflexes very poorly, and that, once formed, these reflexes were readily extinguished (the responses recorded were the conditioned eyeblink and the conditioned psychogalvanic reflex). It was found also that introverted normal subjects conditioned much better than extraverted normal subjects. For all groups there was a significant correlation between conditionability and a personality questionnaire which measured introversion-extraversion, and there were no significant correlations between conditionability and questionnaires which measured the dimension of neuroticism. These findings strongly suggest that the underlying causal explanation for the personality dimension of introversion-extraversion is indeed to be found in the cortical processes of excitation and inhibition as adumbrated by Pavlov.

Further support for this argument may be found by an examination of the symptomatology of the dysthymic and the hysteric. Thus, the dysthymic neurotic tends to present the following type of symptoms: anxiety, compulsive thoughts and actions, over-sensitivity to his environment, hesitance, over-cautiousness. He is often over-aware of himself and too much concerned about his relationships with other people; he may be hyperactive and over-conscientious. All these characteristics can be discussed in terms of Pavlov's concept of cortical excitation. On the other hand, the hysteric neurotic presents very different symptoms. He tends to be insensitive to his environment and to the feelings of others; he is often impulsive in his actions, and his feelings may be shallow and superficial. He tends to be irresponsive and unreliable; he may develop 'escape mechanisms' of a physical nature such as the complete dissociation of a limb or an eye, or of a more psychological nature such as amnesia or a fugue state. Dissociation characteristics such as these would seem to be consistent with Pavlov's concept of cortical inhibition. Similarly it is the introverted normal who is often hesitant, conscientious, sensitive and responsive to his environment and who becomes agitated when he has to meet many new people; whereas it is the extraverted normal who is usually impulsive, not so conscientious,

less sensitive and less responsive to his environment and who is usually unperturbed no matter how many strangers he has to encounter. This relationship between inhibition-excitation and extraversion-introversion has been stated in detail by Eysenck (1955), related to further experimental evidence and incorporated into the basis of an explanatory theory of personality.

Two points must be made clear at this stage, the first one concerning the nature of the processes of 'excitation' and 'inhibition'. As Pavlov stresses, both must be regarded as positive processes, and in no sense can inhibition be regarded as an absence of excitation. Like Pavlov, apart from regarding these two processes as molar, we imply nothing about their physiological nature, although we consider that the neurophysiology of these processes will eventually be elucidated. (In the terminology of MacCorquodale and Meehl, 1948, we would regard these two concepts as hypothetical constructs rather than as intervening variables.) The second point is a matter of semantics and concerns the term 'inhibition', which is unfortunately used in several different senses; there is the usual psychiatric usage of the word, as applied to the introverted withdrawn personality; there is the neurophysiological usage, and there is the present Pavlovian usage. It must be reiterated that cortical inhibition as used here gives rise to symptoms which would be associated with the *absence* of behavioural inhibition as the term is used psychiatrically. For example, a psychiatrist would probably describe an irresponsible outgoing psychopath as being *uninhibited*, whereas we would describe such behaviour as being consistent with a state of cortical *inhibition*.

There is an increasing amount of evidence which confirms these demonstrated relationships among conditionability, introversion-extraversion and excitation-inhibition. Thus, it has been shown (Franks and Lavery, 1955) that sodium amytal, a depressant drug, reduces conditionability and increases extraversion, and that brain damaged patients condition poorly (Gantt, 1950; Reese, Doss and Gantt, 1953).

Before we consider psychopathy in terms of conditionability, etc., it is necessary to make explicit how this ill-defined term is used here. By psychopathic personality we mean that *extraverted* neurotic who has had a life-long history of maladjustment and anti-social or asocial acts, who lacks the ability to control his immediate emotional responses, who is egocentric, lacking in moral feelings and who adopts an erratic and purposeless way of life. It is typical of such an individual that he is unable to profit from experience or to learn from past mistakes, that he lacks appreciation of shades of meaning, and that he finds difficulty in identifying with the feelings of others. Since it has been shown that the psychopath conditions very

poorly¹ then such behaviour traits as these may be described in terms of an inability or difficulty in developing, retaining and generalizing conditioned responses. Thus we would say that it is because the psychopath possesses these basic deficiencies in the formation, retention and generalization of conditioned responses that he is unable to learn the elementary rules of social living, that he finds difficulty in forming and generalizing the conditioned responses which we designate as profiting from experience, and that he is unable to identify with the feelings of his associates.

As with the hysterics, most of these characteristic personality traits would seem to be essentially of an inhibitory nature. If it is correct that the psychopath has an exaggeration of this cortical inhibitory process, then we would expect to find other evidence that psychopathy has a large constitutional element. Nowadays there is general agreement, with certain notable exceptions such as Lauretta Bender (1947), that psychopathy has a significant constitutional basis. Rosanoff *et al.* (1934), Kallman (1952) and Slater (1953), working with twins, have all provided support for the hypothesis that abnormal character traits are inherited to a large degree. Here we have attributed both psychopathy and hysteria to a predominance of cortical inhibition and hence we regard both hysteria and psychopathy as in part constitutional in origin. Apart from the evidence already presented there are other findings which are in agreement with this. Thus Kraulis (1931) found a high proportion of psychopathic drifters among the relatives of hysterics.

On the behaviour side, it is remarkable how much the psychopath resembles the hysteric with respect to the traits described above and in particular with respect to his emotional immaturity (another way of saying that they have not formed the socially approved conditioned emotional responses). Another group who condition poorly are the brain injured and very probably the post-leucotomized; as Mayer-Gross, Slater, and Roth (1954) point out, hysteric and psychopathic reactions are not uncommon following prefrontal leucotomies and it is following organic illnesses, especially those involving the cortex, that hysteric symptoms often occur. These resemblances between hysterics, brain-damaged individuals and psychopaths have been well pointed out by Kennedy (1954, 1955), who postulates a constitu-

¹ In the experimental study upon which this conclusion is based (Franks, 1956), the majority of the extraverted neurotic group were not psychopaths (although those who were diagnosed as psychopaths did condition very poorly). It is therefore necessary for a further study to be carried out using a much larger group of psychopaths; we are confident that the findings of such a study would confirm those of the previous investigation.

tional similarity among all these abnormalities.² He points out that diseases such as encephalitis lethargica, which damage certain regions of the brain, can—and often do—result in the occurrence of many psychopathic symptoms. This fits in with the findings that certain post-leucotomized patients become psychopathic and at the same time more extraverted and poor at forming conditioned reflexes. Another interesting finding is that certain post-operative patients tend to become more accident-prone after the operation (Petrie, 1949). This finding could possibly be accounted for in terms of the loss of those acquired conditioned reflexes which enabled them to guard against the many dangers of twentieth-century society. A related observation which could be interpreted in a similar manner (except that it would be a lack of formation rather than a loss of conditioned reflexes) is that of Eysenck (1947), who found that the characteristic of ‘accident-proneness’ is ascribed to themselves more by extraverts than by introverts.

Now we can consider the psychopathic delinquent. He may steal, swear, lie, truant, be destructive, disobedient and egocentric. These traits are all characteristic of the psychopathic delinquent, and all have in common a high degree of under-socialization, of not having learned the socially approved modes of behaviour. In terms of conditionability, since psychopaths as a group have been demonstrated to condition poorly, this may be explained as an inability or a difficulty in forming those conditioned responses which we call learning the rules expected of us by society. It is also characteristic of such psychopaths that they are unable to profit from experience, that punishment, psychotherapy, re-education, etc., are generally fruitless—in other words, this sort of person becomes a recidivist.

But it has also been demonstrated that dysthymics and introverted normals form conditioned reflexes very easily and that these conditioned reflexes, once formed, are difficult to extinguish. It is therefore at least possible that some recidivists have conditioned very well to the accepted requirements of their environment—only their environment is a socially undesirable one, their family, friends, or neighbourhood are such that they learn well and retain all the undesirable behaviour characteristics which are subsumed under the general heading of delinquency. These recidivists would then be the ones who have served repeated prison sentences (merely a reinforcement of the undesirable society to whose mores they condition readily) but with whom few serious attempts had been made at re-education

² There is a danger in over-stressing the resemblances between hysterics and psychopaths. Despite the many similarities between these two groups, it is still true that most hysterics are far more adequately adjusted socially than are psychopaths. The fundamental difference between them is an extremely interesting and important problem which can unfortunately not as yet be fitted into the theoretical framework outlined in the present paper.

and psychotherapy. These introverted recidivists should be classed as non-psychopathic.

If this theory is correct then the relationship between introversion-extraversion and recidivism is no longer a straightforward linear one. The relationship would seem to be a complex one, in which recidivists could be either introverted or extraverted in personality. One could predict that those recidivists who were introverted in personality, and who also conditioned well would be the ones whose environment had been a continually undesirable one, and with whom no serious attempts at re-education or psychotherapy had been made. This kind of recidivist would probably respond favourably to such attempts and in particular to thorough attempts to condition him to a more desirable form of environment. On the other hand, one could predict that those recidivists who were extraverted in personality (good and objective criteria of extraversion could include Guilford's R Scale, 1940), and who formed conditioned reflexes very poorly and whose conditioned reflexes were soon extinguished would be the ones who should be classed as psychopathic. Such recidivists, possessing a constitutional excess of cortical inhibition, would be constitutionally unable to learn (*i.e.*, condition to) the rules of the society in which they lived, no matter how socially perfect their environment. This kind of psychopathic recidivist would probably fail utterly to respond to re-education or psychotherapy.

There is already some tentative unpublished evidence to indicate that this theory is at least tenable. Marcus (1955a) has been studying a large group of subjects who have passed through H.M. Prison, Wakefield. His findings suggest that recidivism (burglary, petty larceny, many previous minor convictions, etc.) *prior* to the Wakefield sentence is more or less associated with introversion. At Wakefield, where a systematic attempt is made to re-educate and to reform them, he found that the comparatively few prisoners who, despite these attempts at training, got into further trouble upon release, tended to be extraverted in personality. It would therefore seem reasonable to postulate that the majority of so-called 'recidivists' tend to be slightly introverted in personality; these people have simply fallen into a criminal environment, they are amenable to training and are not intrinsically psychopathic. On the other hand, there is a small proportion of recidivists who tend to be more extraverted in personality; these people are in general not amenable to training and would probably be best classified as psychopathic.

Testing the theory in a rigorous manner would be relatively simple. One such project would involve the investigation of a suitable group of first offenders by means of conditioning and personality tests. It would be possible from these two tests to predict who would be likely to respond successfully to various forms of treatment and re-education and who would

be unlikely to respond to treatment. It would also be possible to predict which delinquents, if no treatment were given, would become recidivists because of the wrong environment, and which delinquents would become recidivists because they were unable to profit or learn from *any* environment. Follow-up studies of all subjects could then be made in an attempt to confirm the validity of the predictions. Another—and allied—approach would be to submit a large group of recidivists to these tests of conditioning and personality, and from the results predict which delinquents were recidivists because of an unsuitable environment (and hence highly amenable to some form of treatment or re-education) and which delinquents were recidivists because of an inability to respond to their environment. Again, follow-up studies could be used to test the validity of these predictions. In concluding, we may state that, although the present theory may well be an oversimplification of a complex problem,³ it possesses one essential virtue; it is formulated in such a way that it yields readily testable deductions. If confirmed, then this new technique should be invaluable as a diagnostic tool and as a method of selecting those subjects most likely to profit from special training facilities, etc.

SUMMARY

From a brief survey of the literature, it is concluded that the relationship between recidivism and intelligence remains an open question. Based on clinical and experimental considerations, introversion is related to Pavlov's concept of cortical excitation, and extraversion to his concept of cortical inhibition. Evidence is quoted to suggest that introverts and introverted neurotics condition readily and that extraverts and extraverted neurotics, including psychopaths, condition poorly. It is suggested that there are two kinds of recidivists; the introverted ones, who condition well and who readily learn the rules of their (undesirable) environment, and the extraverted—possibly psychopathic—ones, who condition poorly and who find great difficulty in learning the rules of their environment (desirable or otherwise). It is suggested that the former group of recidivists should respond well to training and re-education, whereas the latter group would be more likely to respond very poorly to such attempts to reform them. Finally, the theory is discussed in terms of other experimental findings, and possible ways of investigating its validity are considered.

³ In Footnote 2 we have already hinted at one difficulty, namely the explanation of why, in terms of the present theory, hysterics do not become psychopaths. It must also be remembered that we have only so far considered the relationship between recidivism and the personality dimension of introversion-extraversion; there is, of course, the other fundamental personality dimension of neuroticism to be considered (see Fig. 1).

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THE SOCIOLOGICAL ANALYSIS OF BORSTAL TRAINING

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This study stems from previous work by the writer on the Borstal system (1). In the course of carrying out a follow-up study it became obvious that there was a remarkable lack of information about the nature of institutional treatment. In all the studies so far, the information obtained about the institutional period is much less full than what is known about the previous and subsequent periods. Yet it is precisely this part of the career of the offender which is vital, for it is here that we attempt to do something which will lead to his rehabilitation. The usual pattern of the follow-up and prediction study leads to the isolation of a number of factors which are closely allied to success or failure after the boy leaves. Few of these are derived from the institutional period, and the general impression one gets is that it hardly matters what is done during this time, so long as some sort of institutional treatment is given, as otherwise, presumably, the relationships between factors throughout the offender's whole career would be affected. Laune, introducing an attempt to produce a questionnaire based upon the opinions of prisoners concerning 'parolability', points out that 'with the exception of a few connected with the man's prison record, the Burgess factors are static, and, if entirely credited, a logical inference would be that no change in conduct can be expected as the result of incarceration.' (2) The Gluecks also provide little information about the actual experience of inmates in prison, and one must agree with Schnur when he said recently that 'too little account has been taken of experiences within the system which might decrease or increase his (the inmate's) chances of success.' (3)

Such results, though valuable in themselves, cannot be other than discouraging to institutional staff. The operative question, so far as they are concerned, is the relationship between what they try to do with each individual boy, within the limits of the range of treatments available to them, and his subsequent career. In what way has A improved in the institution, why, and what relation does this bear to subsequent behaviour? What could have been done to increase the amount of improvement? In what way can we improve our procedures in order to observe and treat boys more effectively?

There is, of course, room for improvement in classifications and allocation, but the limiting factor in this respect must always be the range of treatments available. The range of variation amongst boys is almost unlimited and we cannot have too great a variety of approaches. No classification system is likely to be able to do more than make rough guesses about distribution between institutions; indeed, if nothing else, the great changes in atmosphere and approach which follow from changes of governor would make this very difficult. The more we can learn to analyse and understand the structure of the institutional community, and how it affects the activities of staff and boys, the more we are likely to be able to understand the real effect of treatment measures.

For the last 75 years we have been largely dependent upon the literate prisoner for pictures of the inside of the institution. Such literary efforts are invariably suspect and vary considerably both in accuracy of reporting and in literary merit; the best of them are very informative about the reaction to the system of the particular prisoner or Borstal boy (4), and sometimes about its effect in general. The authors, however, can hardly be expected either to give an objective account or to approach the task with the eye of the sociologist. The outside and rather more objective reporter has been able to produce some useful material on American prisons (*e.g.* J. B. Martin's recent 'Break Down the Walls'), but this kind of reporting has its dangers and is, in any case, impossible in this country. Accounts of this nature, though often penetrating, can be used, with caution, only as illustrations of the mechanisms uncovered by deeper analysis.

Perhaps the best known attempt to come closer to the problem by actually living as a prisoner is that of Osborne, who in 1913 spent a week in Auburn (5). This was, however, hardly more than a public demonstration of his concern that prisoners should be treated as human beings and could be given some responsibility for their own rehabilitation. Another attempt of this type, but with more scientific intent, was made by Riemer (6), who had himself arrested and sentenced to 3 months' imprisonment in Kansas State Penitentiary.

The disadvantages of this type of participant observation outweigh the advantages, and the main contribution to the study of the prison community has been made by psychologists and sociologists working on prison staffs or introduced for the purpose of observing. Of this nature are studies by Polansky (7) and Hayner and Ash (8). By far the best study in this field, however, is that by Clemmer (9). Clemmer was a sociologist in Illinois for some nine years, and his book is the result of a series of observations, mostly made in 1931-34, in Menard Prison. By the use of questionnaires, essays, interviews and observation, he builds up a picture of the prison under a

number of broad sociological headings: social relations and groups, leadership, social controls, and social implications of leisure time, of sexuality and of labour. Clemmer has obviously been much influenced by 'Middletown', and his book tends to suffer from a defect similar to that which mars that book—too much dependence on written statements, and thus upon the literate and vocal. Nevertheless, like the Lynds, Clemmer has great insight and understanding and draws an excellent picture of attitudes, groupings, and behaviour of prisoners, though he says little about staff and their problems.

This omission is corrected to some extent by McCorkle and Korn, who ask the question: 'To what extent does the prison community provide opportunities for altering the group memberships and reversing the socialization process which contributed to the criminal behaviour of those incarcerated in it?' Their answer to this gives rise to an interesting analysis of the rôles and attitudes of prisoners, custodial and professional staff (10).

Briefly, these studies demonstrate that, 'in many ways, the inmate social system may be viewed as providing a way of life which enables the inmate to avoid the devastating psychological effects of internalizing and converting social rejection into self-rejection. In effect, it permits the inmate to reject his rejectors rather than himself.' (11) It thus supports and encourages those who are most opposed to the system of control and to reformative efforts. It is a deprived society and it attempts, therefore, to remedy the deprivations imposed upon it by 'conniving' (12)—that is, efforts to improve one's lot by buying, selling and bartering for the use of things which are forbidden. The greater the enforced deprivation, the more extensive the underground activities to remedy it, and thus the more difficulty in enforcing it. The greater the affront to self-respect by deprivation and degradation, the stronger the resistance to a sufficient degree of self-criticism to enable change in attitudes to take place. Studies of the American system demonstrate these basic difficulties in an extreme form, much accentuated by the size of American prisons, the heterogeneity of their populations, and inadequacy of staff. In this country, the deprivations are less, but they exist. As Dr. Roper says, 'it is the injury of being mastered and brought under control which stirs him (the prisoner) to resentful thoughts' (13), and this must remain under any system of enforced incarceration. One must have discipline staff, but, in Dr. Roper's view, they should have opportunities for leadership rather than authoritarianism, since leadership can be combined with the therapeutic approach—indeed it is itself therapeutic—while authoritarianism cannot.

THE ANALYSIS OF BORSTAL TRAINING

Borstal training stands midway between the authoritarianism of imprisonment and the highly permissive approach of such workers as Aichhorn, Wills and Neill (14). It attempts to provide opportunities for leadership in a régime which is highly organized both as regards goals and the means of obtaining them. The reasons for this are partly historical, partly administrative and mainly the result of applying a particular type of educational and correctional theory. 'The task,' wrote Paterson, 'is not to break or knead him (the Borstal boy) into shape, but to stimulate some power within to regulate conduct aright, to insinuate a preference for the good and the clean, to make him want to use his life well, so that he himself and not others will save him from waste'; and Paterson goes on to outline the combination of progressive grades and division into houses which form the basis of the Borstal type of institutional training (15).

The generalizations of the 'Principles', good as they are, cannot, however, satisfy the research worker. The Borstal institution is a community and, like any other community, is capable of analysis. It is, in fact, to a considerable extent self-contained, much as attempts may be made to counteract this, and therefore develops laws and customs, sanctions and rewards, social structure and processes which are all its own and can be studied, albeit with difficulty, by methods developed by sociologists and social anthropologists. Indeed, it is surprising that while some attention has been directed towards the study of the prison community, as noted above, little has been done on the open institution in which the operation of social processes is much more akin to those more familiar to these disciplines.

The only attempt to study Borstal boys as a community seems to be that of Dr. Leitch, who asked 171 lads about to be discharged from Camp Hill what influences had most helped them (16). The replies cannot avoid being somewhat suspect, the list being headed by housemaster, work, officers, discipline, in that order—this sounds rather as if the 'right' answers were being given. It is interesting in the present context, however, that Dr. Leitch places 'influence of others' low on the list. Fifty-seven (44 per cent.) said it had no value for good, and of these 25 said it was a bad influence; 76 (56 per cent.) said it was of some assistance, and these appear to have been lads of poor calibre. The suggestion is that the boys' community is sometimes supportive and sometimes injurious, as we might expect.

It is necessary at this point to state briefly the theoretical setting as seen by the writer so that the North Sea Camp study may be perceived in context. In the first place, the institution is seen as a social system; that is to say, 'there is a considerable number of actions, interactions and transactions

. . . which are so connected that they constitute in their totality a process of which we can make an analytical description which will show how they are interconnected and thus form a system.' (17) The relationships between people which are at the basis of retraining are seen as evidences of their participation in the whole life of the institution. Conversely, there is a social structure constructed and maintained by the activities of individuals in the pursuit of those ideals and objectives which are generally accepted by the participants. Each person may be seen as the centre of participations in various forms of activity, of which those directed towards retraining are the main but not the only forms.

Such activity may be related to two main ends: the preservation of the social structure, without which retraining cannot take place, and the changes to be made in the attitudes of the inmates. That is to say, there must be equilibrium (18), but not stagnation (19), in the structure of relationships which forms the core of the 'morale' of the institution, and includes the methods and practices of administration and of the 'activities' (work, education, leisure). This is essential to ensure a firm basis of security and confidence without which no community can exist for long, and which is of especial importance in a rehabilitative community to which people are forcibly consigned. On the other hand, this equilibrium must be combined with a continued adaptation of the available social resources to the varying demands of different types of inmate as the balance changes due to the normal intake and outgo and the stages of individual training. Thus there must be both a general equilibrium and a specific orientation to the individual problem. It does not necessarily follow that these are conflicting demands, but they may be so.

The see-saw of equilibrium and adaptation is operated by two clearly separated groups. Here we speak of the static social structure which is informed and inspired by the changing web of relationships referred to above. There is on the one hand the staff, organized in a hierarchical system laid down to preserve uniformity amidst diversity over the whole of the Borstal organization; and, on the other, the boys. While the formal structure of the staff is rigid, and maintained by constant recruitment of personnel of differing backgrounds to particular grades (in particular the division between 'subordinate' and 'superior' staff), and by transfer (which tends to offset the growth of informal relationships), there is a good deal of overlaying of the formal structure, as in all organizations, by relationships based primarily upon personality. This takes effect mainly within the two main staff grades, not between them.

For the boys, on the other hand, while some formal structure is provided by the house and grade systems, there is a much wider scope for informal

relationships and groupings based upon the expression of personality. Seniority counts for something, but not as much as leadership qualities or the lack of them, strength or weakness, ruthlessness or fear, sociability or isolation. The point is important because it is into this largely uncharted sea that the housemaster must launch his attempts at individual retraining. He cannot but be aware that social groupings amongst the boys exist, and that influence which he himself is likely to have must be seen in the context of all the other influences to which a boy may be exposed. Against the hour or so he may be able to give to the boy individually, there will be many hours spent by the boy in the company of his fellows. This is not to say that the housemaster may not exercise great influence in a short time, or that other general influences upon the boy are absent, but only that it is impossible to neglect the less well known, but possibly important influences which may spring from social groupings amongst the boys themselves.

In this article, I will confine myself to some observations upon the probable nature of these groupings, and the limiting effects upon them due to staff action and institution activities, and leave aside for further study a detailed analysis of staff-boy relations within the general context set out above. The context is fundamental, however, especially in respect of the maintenance of equilibrium which is at the basis of much staff action.

The dominating factor in respect of the boys' community is that it is there from compulsion, not from choice. This does not prevent acceptance of the situation, co-operation in retraining and, in many cases, a real feeling of having benefited. It remains true, however, that at bottom nearly all boys must be conscious of compulsion and restraint, and their objective is to get out. While the type of approach used by the social anthropologist may be of great assistance, we here part company with the experience of the anthropologist, who surely can rarely, if ever, be confronted with a situation of this kind.¹ In the circumstances, we should expect an undercurrent of anti-authority feeling, varying according to the type of institution, but always there to be played upon by the anti-authority leader. The fact of compulsion and of possible resentment is, of course, also known to the staff, and they tend to be on the look-out for 'troublemakers' who are likely to form anti-authority groups which may have serious effect on the equilibrium. Thus to the staff member groups tend to appear as anti-authority gangs, and he pays less attention to the possible groupings amongst others. However, the fact of compulsion and the need, especially strong in this type of adolescent, to maintain self-respect in their reaction to it,

¹ It is difficult because of this to apply the experience of Maxwell Jones ('Social Psychiatry', 1949) or Curle (*Human Relations*, 1, 42-68 and 240-88, 1947).

probably make it difficult to form led groups which are actively pro-authority, although this will vary with the prevailing institution *ethos*; and where the general reaction against authority is paramount, as I feel it must be in all but the 'top' layer of institutions, the pro-authority leader will probably tend to keep his counsel to avoid suspicions of going over to the enemy. Thus the staff view of groups as primarily anti-authority will truly represent the position. By the same token we might expect to find the pro-authority boy either with a small group of friends, or pursuing an independent but not isolated line. It is necessary, of course, to employ the above line of reasoning with caution and to look for confirmation of anti- or pro-authority leanings, but experience shows that it seems to hold.

The fact that there is awareness of groupings amongst the staff cannot be unknown to the boys. In the North Sea Camp study it is probable that the fact that information was being recorded upon groupings in itself increased staff awareness of the problem, and this would inevitably be communicated to the boys. There would thus be some consciousness of the need to avoid overt anti-authority associations, and this would be aggravated by staff action to prevent the development of such groups. Such action often takes the form of warning boys not to associate with those suspected to be anti-authority leaders. This also tends to highlight the anti-authority group, since it eventually contains only those who disregard such warnings. Further, the general opinion cannot but be that these particular boys are a source of danger.

The whole question of ganging amongst the boys is very much affected by the structure of activities in the institution. Boys tend to become friendly with those with whom they rub shoulders most. Thus allocation to houses and dormitories and to work parties, and the availability of and individual interest in classes and leisure activities tend to act as limiting factors. Direct intervention, as instanced above, is rare, but most associations tend to take place within houses, even in a small institution where it is possible to know a large proportion of one's fellows. Allocation to a small work group or to a particular type of job may produce associations, although some jobs (boiler-man, for instance) may mean irregular hours and thus some tendency to isolation. Being a Roman Catholic or a Methodist may lead to particular associations since these are generally small groups who attend church together regularly. Being an illiterate will lead to separate morning classes; pigeon fanciers have opportunities to pursue their hobby together; football or cricket enthusiasts will have opportunity to be drawn together in a team. Grades or pay levels may also operate in this way.

These are external limiting factors, and they therefore differ from those factors and opportunities which arise from the nature of the Borstal boy

himself. Of these by far the most important is place of origin. Londoners almost invariably congregate (they often knew each other outside, despite the size of the metropolis), and Liverpooldians and Mancunians tend to do the same. Northerners do not care for southerners, and town boys for country boys. Constant jesting goes on about this, and sometimes fights ensue. Apart from this, there are such things as maturity (age is not so important as experience of the world, particularly the criminal world); and all those other manifestations of personality which make for attraction or repulsion.

The place of the boys' community in the social system which is an institution is an odd one. It is both fundamental and disturbing. Institutional objectives are directed towards it, but it tends to repel them; institutional equilibrium must be maintained, but the very foundation and purpose of the institution, the boy, tends to disturb it. The boy both needs and rejects the security which that equilibrium, based as it is on the staff, provides. He must be loyal to his fellows, but such loyalty can threaten the possibility of his being released—the goal that really matters. He is thus the centre of a possible conflict of self-interest and group loyalty, the strength of which varies from boy to boy. It is this ambivalent position which—to my mind—represents the core of training, for no satisfactory training can be effected without exposure to a testing situation. How the boy adjusts to the strains of institutional life is of basic importance in assessing his possible reaction to the strains of life outside the institution.

METHOD

The present article is the first product of a small pilot study of group relations in North Sea Camp Borstal Institution.² The data consist of a series of monthly recordings of groupings as observed by the staff in a number of different circumstances: in dormitories, in the dining-hall, at work, in the cinema, when playing games, and otherwise in the boys' free time. The headings have been chosen as being situations where considerable choice of companion was possible. Each boy is also coded each month according to what the staff feels to be his position in relation to groupings. Within a group the codes were: leader, lieutenant, aspirant, follower (choice), follower (weak); and outside a group: non-member, would-be leader, isolate, friendship-seeker. Some of these are self-explanatory. The difference between a lieutenant and an aspirant is that the former is satisfied to be a right-hand man, the latter is not; aspirants do not necessarily belong

² I should like to record my indebtedness to the Director of Borstal Administration for allowing me to carry out the study, and to the staff of North Sea Camp, who did most of the hard work.

to a group, in which case they come under the heading of 'would-be leader'. Follower (weak) is included to attempt to differentiate between those who are fully accepted as group members and apparently belong to the group from choice, and those who are hangers-on from weakness of character and the need to have some centre to look to. The term 'non-member' describes a type of boy who does not belong to any particular group, but is generally accepted and is strong enough to stand apart. He is certainly not rejected, as is the isolate. The friendship-seeker is a particular type of isolate who does not accept rejection; he is continually trying to attach himself to others and invariably fails. The categories were set up by the staff on the basis of their experience, and with the advice of the research worker.

THE USE OF SOCIOMETRY

The obvious approach to the problems involved is by the use of sociometric techniques, and the project was originally conceived by the writer as a sociometric study. At the start of the enquiry, however, it became clear, in discussions with the staff, that they were chary of introducing a new factor into the existing social situation. Indeed, it was felt at that time that the results of sociometric questioning would probably be more unreliable than direct observation. On the other hand, they were anxious to discover more about that situation immediately and felt that the project would stimulate observation. When the question was raised subsequently it became clear that the Commissioners did not feel that direct questioning of boys regarding their associations was desirable, and further work along sociometric lines was therefore not possible.³

A preliminary study of sociometric techniques did, however, demonstrate some pitfalls. The simplicity of this admittedly useful process and the generality of its possible application have tended to obscure doubts about its interpretation. Indeed, Moreno's explanation of the conditions under which the technique can be applied rests upon a conceptual framework which it is not always easy to follow (20), and employs a terminology which raises numerous issues and is more of a handicap than a help. Meyer (21) distinguishes three levels of approach in Moreno's 'Sociometry, Experimental Method and the Science of Society' (Beacon House, 1951): 'an orientation towards life, a theory of society, and a method of research'. Since the same terms are used on all three levels their meaning tends to be somewhat unclear. Meyer asks that these levels should be separated and

³ Nevertheless, at one point the Governor wanted to set up a number of small groups to go away for week-end camps or on hostelling tours, and it was decided to ask boys with whom they would and would not like to go. A comparison of staff observation and the results of a sociometric test thus became possible.

the theories involved stated in a systematic way, and that the language should be made clear (he instances such terms as 'tele', 'social atom', 'super-atom', 'socioid', 'psychological networks', 'cultural conserves', 'classoids', 'sociostasis', 'co-action', 'creatocracy', 'theometry'). He asks also that 'those concepts which have already been operationally defined should be distinguished from those still in the stage of metaphor' (p. 362).

We are here concerned with sociometry as a method of research. According to Moreno, the proper application of the technique implies a 'warm-up', which appears to mean a description of the purposes for which the information is requested and the eliciting of co-operation; 'expectancy of action', *i.e.* acceptance of the suggestion that the information will be used for the benefit of the chooser in constructing some kind of group; and 'spontaneity', by which I understand choice which is conditioned only by the criterion and reference to the subject's experience of, and opinions about, other members of the group, and not by the giver of the test, or its nature. It must be assumed that the subject sees himself as participator in a 'real' choice situation in which it is to his benefit to make truthful answers to the best of his ability. Where these conditions do not exist, *e.g.*, where the questions are hypothetical, the test becomes near-sociometric (22).

These conditions are not too difficult to fulfil, though much easier for children than for adolescents or adults. The real difficulty arises when one comes to interpret the results. It is, of course, true, as Gottheil says, that 'the sociometric test is inherently valid by operational definition. Its results, in rejections or acceptances, are actual acceptances or rejections with respect to some given criterion' (23). There are, however, two kinds of unknown of specific interest here. In the first place, how general an interpretation, in terms of friendship groups, can be placed upon choices made in respect of one or more specific criteria? I have not seen any *experimental* inquiry into the relationship between one criterion of choice and another, and in any case this would tend to differ from group to group. Grygier and Croft, in an unpublished paper, compare choice on a general criterion with choice on a number of specific criteria and come to the conclusion that there is little difference (24). They also conclude that a general choice, *i.e.*, without specific criterion, 'was the best indicator of friendship', whereas Moreno always denies the validity of general choices. At North Sea Camp it was only possible to use the criterion of camping and one can only guess that there is likely to be a fair amount of overlapping between different forms of choice and that this particular criterion is also largely a general criterion. This is certainly the assumption made in most sociometric studies, with what validity it is difficult to say. (Jennings suggests that leisure time choices are more indicative of the psyche-group

than the socio-group—which seems obvious enough (25).) Without a very much more complex project we could not estimate what knowledge and opinions the boys had of each other so far as efficiency as a camper or hosteller was concerned and how this might be related to general attitudes to each other.

Secondly, how far is the choice status of a boy likely to represent leadership in a group? This amounts to asking upon what grounds a choice is actually made. One cannot but doubt whether the most chosen, or most chosen and least rejected, are necessarily leaders as Jennings seems to assume (26), and an experimental study by Gibb in which he compared the correlations between the answers to questions of sociometric and non-sociometric types designed to bring out leadership suggests 'that leadership defined in terms of influencing behaviour cannot be measured by sociometric tests using either sociotelic or psychotelic criteria' (27). He suggests that Cattell's 'sociocentre' is a much better term than 'leader' so far as sociometric choice is concerned, and that it is the correct opposite to 'isolate'. 'The terms leader and follower may then be counterposed in such a way that both represent distinct but related social rôles. The isolate is not necessarily, of course, a follower, any more than the sociocentre is necessarily a leader' (28). The writer agrees and proposes the use of the term 'sociocentre' or actual statements, such as 'having a high choice-rejection score', where sociometric choice is concerned.

It will be seen, therefore, that a certain amount of doubt surrounds the interpretation of sociometric choice, and this is also true of observation, as is well known. We ought not to assume here that either necessarily represents the 'true' state of affairs, but rather that both are likely to throw light upon the situation as it really is, and that a comparison of the two will help to assess how much insight can be gained from either, and especially to indicate whether the sociometric test is likely to be of any use as an aid in a Borstal setting. Some propositions regarding the probable validity of the two methods ought, however, to be set out.

(1) The sociometric test, representing as it does a direct choice, ought to be a superior and more sensitive instrument. It suffers from the following defects, however:

(a) Unequal intensities of choice. There is no reason to conclude that all boys, or the majority of boys, are included in stable structures of equal strengths in their different parts. Observation both in and out of Borstal leads one to conclude that many boys have a changing and varied group of acquaintances with whom they have no strong ties, even though they may commit offences with them. The sociometric choice is therefore a forced choice in varying degrees.

(b) Some doubt about how far choice on this criterion can be compared either with choice on other criteria or with observation. It is likely, however, that this kind of choice represents a personal preference, rather than one based on specific abilities as one might find in choice on a work criterion. It ought to be comparable with observation of boys' associations in their free time.

(c) Considerable uncertainty regarding the correlation of choice-status and position in the group.

(2) Observation depends very much upon who is observing. Some variation between housemasters is to be expected. On the whole, however, they are very likely to have similar standards owing to constant consultation. They are likely to be very conscious of the nuances of personal relationships, and therefore more likely to be accurate about the status of boys in relation to others, but this will, of course, depend upon the extent of their observation, which will be most acute in respect of strong anti-authority groupings. We should therefore expect them to be best at establishing and analysing such groups and at stating the relationships of others to such groups, but less good in analysing other relationships.

CONCLUSION

'While it cannot be said that the small group approach is a new-born conceptual innovation, it is nevertheless true that the possible applications of the concept to criminal behaviour have not been fully and systematically explored, nor even understood in some quarters.' (29). On the other hand it is wise not to be too obsessed with the group concept. Strong individual relationships are formed in the correctional institution not only between boys but between staff and boys and between members of staff. Upon the staff-boy relationship much emphasis has been placed, but it is inevitably mediated by the whole pattern of individual and group influences in which both of them live.

If the 'casework' relationship is to be utilized to the full, the conditions in which it can flourish must be created: a non-repressive atmosphere which at the same time imposes problems of living with other of the kind which are soluble by socially approved action on the part of the case, and above all time to talk, to think and to write up records.

Nevertheless, one needs to start from the assumption that it is almost certainly impractical, and probably unnecessary, to casework all inmates. The problem of the housemaster is very largely one of selection. Some boys need much attention, others little, some are likely to be beyond the help of the techniques at his disposal, others can be aided by them. We are likely for a long time to come to be working in a situation where limited resources

must be applied to almost unlimited needs, and any sensible approach to training must take this into account.

There are, therefore, likely to be in any institution a variety of intensities of relationship between staff members and inmates, ranging from 'casework', through 'club', to inability to contact. Added to this, and largely dominating it, are the standards and pressures of the inmate community. More subtle in Borstal than in the American prison, to which most of the literature refers, these pressures are nevertheless strong, and the success of training depends largely upon the correct assessment of their influence upon each individual. The inner meaning of Paterson's remark that 'one cannot train for freedom in a condition of captivity' is that, in a 'free' community, group influences are sufficiently perceptible in their operation to be capable of analysis, and that the process of adaptation which is training can therefore be seen and guided. 'Inability to adjust in a socially acceptable way to a complex individual and social problem is the real basis of the trouble outside, and by presenting the boy with a complicated problem of adjustment inside the institutions, the system tests the possibility of success in the outside world.' (30). It is to the analysis of this 'complicated problem' that we ought increasingly to turn our attention.

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RESEARCH AND METHODOLOGY

(Continued from Vol. V, p. 304)

CURRENT RESEARCH. XLV. A STUDY OF THE BORSTAL AFTER-CARE SYSTEM.

(1) *Name of University Department, Hospital, or other Institution or private person supplying the information:* W. R. Burkhart, B.A. (Soc.), University of Maryland, U.S.A.

(2) *Subject of Research:* An investigation of the Borstal Division, Central After-care Association, covering the development, organization and functions of that Division. The study will also include the work of probation officers and institutional officials in the field of Borstal and Young Prisoner After-care, and a critical evaluation of the system as practised to-day.

(3) *Under whose auspices is the research being carried out?* As a thesis for the degree of M.A. (Soc.) in the University of London. *Supervisor:* Dr. H. Mannheim. *Research worker:* W. R. Burkhart.

(4) *Commenced:* December, 1954. *Completion expected:* April 1956.

(5) *Publication:* No results so far published.

CURRENT RESEARCH. XLVI. JUVENILE DELINQUENCY IN SUB-STANDARD FAMILIES.

(1) Mrs. Harriett Wilson, B.Sc.

(2) The case material consists of the records of problem families kept by the Medical Officer of Health of Cardiff. Additional data concerning these families are collected from other statutory and voluntary bodies and by home interview. Factual data concerning juvenile delinquency will be evaluated, and a comparison will be made between problem families who have juvenile offenders among them and those who have not. In addition it is hoped to ascertain neighbourhood influences, and to compare the rate of juvenile delinquency per child 'at risk' within the problem families to that prevailing in the areas in which the problem families reside.

(3) University College of South Wales and Monmouthshire.

Research Worker: Harriett Wilson, B.Sc.

(4) October 1954.

(5) No results so far published.

CURRENT RESEARCH. XLVII. STUDIES IN THE FIELD OF SOCIAL PSYCHIATRY.

(1) The Belmont Hospital Social Rehabilitation Unit.

(2) A group of studies in the field of Social Psychiatry, associated with the Belmont Hospital Social Rehabilitation Unit. Studies include: Family relationships relative to treatment; referral patterns operating within the psychiatric profession for the types of cases treated at Belmont; career patterns of types of cases treated in the S.R.U.; social processes involved in treatment; the social structure of the hospital as related to treatment; some factors affecting discharge of patients from the hospital. Various social science techniques are employed:—participant observation, analysis of files and documents, intensive family studies, social surveys, and numerous smaller clinical studies.

(3) The research is financed by the Nuffield Foundation. *Director:* Dr. Maxwell Jones. *Social science research director:* Dr. Robert Rapaport. *Research workers:* Dr. Seymour Parker, Dr. Irving Roscow, Dr. Rhona Sofer, Miss Gillian

Elles, Mr. Peter Nokes. Some of the research is being carried on collaboratively with members of the staff of the Social Rehabilitation Unit.

(4) October 1954. *Completion expected*: October 1957.

(5) No results so far published.

NOTES AND CRITICISMS

UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

Geneva, 22nd August – 3rd September, 1955

International congresses in this field have been held, under the auspices of the late International Penal and Penitentiary Commission, at regular quinquennial intervals—war-times excepted—since the first Congress of London in 1872. The last of this series was the Twelfth Congress, held at The Hague in 1950. Thereafter the work of the I.P.P.C. was taken over by the U.N., which assumed *inter alia* the duty of organizing quinquennial world congresses, and of this new series the Geneva congress was the first.

The first overwhelming impression of one used to the older congresses was of how much more this was truly a World Congress. The delegates of governments came from some fifty countries in every part of the world excepting those ‘behind the curtain’. Forty non-governmental organizations and two inter-governmental organizations were represented. There were observers from three specialized agencies of the U.N. And over and above these were some 250 ‘individual participants’, including over fifty from the United Kingdom and five from our dependent territories in Africa and Malaya. Altogether between 500 and 600 delegates took part.

The working basis of the Congress was closely related to the organization set up by the U.N. in place of the I.P.P.C. Since 1950 the Social Defence Section has exerted itself to establish ‘regional consultative groups’ in different parts of the world, the intention being that these groups should meet every two years to consider and advise on questions placed on the work programme of the Section by the Social Commission. The first group to be established was the European, which (with an ‘observer’ from U.S.A.) virtually represented the former I.P.P.C. This was followed by groups in Latin America, the Middle East, and Asia and the Far East.

The European Group has met regularly since 1950, and has produced reports on the selection and training of prison staffs, open prisons and prison labour; it has also revised the draft Standard Minimum Rules for the Treatment of Prisoners originally prepared by the I.P.P.C., and considered aspects of the probation system and of juvenile delinquency.

The method adopted by the U.N. secretariat in preparation for the Congress was to submit to the other regional groups, each of which was able to meet once before the Congress, the reports prepared by the European Group on staff and open prisons, together with the draft Standard Minimum Rules. Each group submitted its views, thus providing a series of regional variations on the European themes. The function of the Congress was conceived as the pinnacle of this edifice. It would consider the various views of the regional groups, resolve differences, and

finally present agreed reports and recommendations in the hope that they would be adopted by the General Assembly for transmission and recommendation to governments.

The subjects selected for this treatment were: (1) Standard Minimum Rules; (2) Selection and Training of Staff; (3) Open Institutions; (4) Prison Labour. Section I dealt with (1) and (2), Section II with (3) and (4). Section III dealt solely with the Prevention of Juvenile Delinquency, which was treated on a different basis.

Sections I and II were provided with well-prepared documentation on each item of their agenda. On the Standard Minimum Rules the secretariat produced a report setting out the original I.P.P.C. draft, the observations made thereon by each of the regional groups, and finally a new text of the rules based on the collation of these observations. On the other items there were collections of national reports by governmental or other experts, with reports by specially appointed consultants on special aspects, and reports by the secretariat. Only government delegates were entitled to propose motions and to vote.

Standard Minimum Rules. This was perhaps the most important item before the Congress. The text adopted by Section I, and subsequently by plenary session with some amendment, will, if the resolution of the Congress is implemented, be submitted through the Economic and Social Council to the General Assembly of the U.N., in the hope that the Assembly will resolve 'that they be transmitted to governments with the recommendation that (a) favourable consideration be given to their adoption and application in the administration of penal institutions and (b) the Secretary-General be informed every three years of the progress made with regard to their application.' Thus this code, covering in some detail every aspect of the treatment and training of prisoners, may well in due course become the standard for every penal system in the world.

Selection and Training of Staff. Since it is finally on the qualities of its staff that the success of a prison will depend, this may well be the next most important subject dealt with at Geneva. Here the purpose was easier of achievement, since it was not to approve a code of rules, but to explore and discuss and frame general recommendations. The final resolution of the Congress expressed the hope 'that the ECOSOC will endorse these recommendations and draw them to the attention of governments, recommending that governments take them as fully as possible into account in their practice and when considering legislative and administrative reforms.'

Here again there was a surprising consensus of opinion, and the recommendations finally adopted accord generally with the views and practice of this country. They stress the need for a carefully-selected, well-qualified civilian staff, on a civil service basis, with conditions of service such as will both attract and retain suitable persons. The need for preliminary training and subsequent in-service training is stressed. They draw attention to the development of prison work into a complex social service, calling for the employment of specialists in many different professions and techniques, and to the need to co-ordinate them into a team with a common approach to their work.

Open Institutions. This question elicited little of interest in discussion. The ground had already been well trodden over, first at the Congress of The Hague and again by the European Consultative Group, whose recommendations formed the basis of the report the section was asked to consider. Many of those taking part therefore were primarily concerned with maintaining a text, to which they

had already devoted much time and thought, setting out in effect the experience of those countries which had the open-prison system. In this task they broadly succeeded.

It may therefore be accepted that the open prison is now recognized everywhere as (to quote the Congress resolution) 'an important step in the development of modern prison systems and represents one of the most successful applications of the principle of the individualization of penalties with a view to social readjustment', and (the Congress) 'consequently recommends the extension of the open system to the largest possible number of prisoners.'

Prison Labour. This question, on the other hand, proved to be one of the most difficult and controversial. The documentation was also less complete, in that there were no national reports, and although the European Group had prepared a report the other groups had not considered the question. There was, however, a useful report by a consultant summarizing the replies received to a questionnaire sent out by the U.N.

The recommendations finally adopted suggested that all prisoners under sentence should be required to work, subject to medical fitness, but their work 'is not to be conceived as an additional punishment but as a means of furthering the rehabilitation of the prisoner, his training for work, the forming of better work habits, and of preventing idleness and disorder.' Emphasis was laid on good working conditions, vocational training, and protection of health and safety.

Two questions were hotly debated. First, whether or not it should be, as was finally agreed, '*the duty of the state* to ensure that adequate and suitable employment is provided.' Second, the long disputed question of whether prisoners should be paid for their work on the same general wage level as free workers, with particular reference to the desirability of their indemnifying their victims out of their wages. The result was a somewhat indeterminate compromise.

The covering resolutions on open prisons and prison labour commended them to the U.N. in similar terms to that on the selection and training of staff.

To sum up, there can be no doubt that the resolutions adopted, if they are treated by the U.N. in the manner proposed by the Congress, will serve to bring to the notice of every government what must be taken as being a consensus of the expert opinion of the world on the best practice to be followed in regard to the important problems on which the Congress reported. This in itself is a step of enormous potential value.

SIR LIONEL FOX.

SECTION III: PREVENTION OF JUVENILE DELINQUENCY

This Section was under the Chairmanship of Mr. J. Ross, C.B., the head of the Home Office Children's Department. The purpose of the Congress from the viewpoint of the Secretariat was to secure a declaration of agreement on principles, and support for a continued programme of work by the Social Commission. The proceedings consequently assumed the form not of a discussion of technical questions between experts, but of a series of statements of views on behalf of governments, non-governmental bodies or individuals. If from the following account they appear to be dull, this impression was shared at the time by many participants, who felt disappointed that a unique gathering of experts of the highest authority in their own countries should spend their time listening to discussion on a level that to many appeared elementary.

On consideration of Item I of the 'general principles'—'for international purposes and in order to clarify the extent and nature of juvenile delinquency, it would be advisable if the meaning of this term be restricted to juveniles having committed criminal offences'—many speakers opposed this proposition as being too restrictive, and the debate continued throughout the second meeting on the following day. Since no decision appeared to be in sight, a drafting committee was appointed to prepare a formula for consideration at the third meeting, where it was agreed that 'the subject for study should include not only those juveniles who had committed an act regarded as a criminal offence by the law of their country, but also those whose social situation or whose character places them in danger of committing such an act or who are in need of care or protection'. A brief discussion followed on the prediction of behaviour which is presumed to lead to delinquency, and Professor and Mrs. Glueck gave an account of their recent work. While some doubt was expressed regarding the validity of the prediction procedures described, the session closed without extended discussion of this important subject. Next day the Chairman proposed that instead of proceeding on the basis of the original agenda, participants should take account of what was being done towards prevention in their own countries and consider how preventive work might be developed in relation to (1) the community; (2) the family and the school; (3) the social services; and (4) other agencies, and that a drafting committee should be invited to prepare a report based on the debates and other points submitted in writing. These proposals were adopted; and discussions began on Item I of the new agenda (preventive work in relation to the community). The United Kingdom contribution was an account of the campaign inaugurated by the Home Secretary and the Minister of Education in 1949 to influence public opinion and co-ordinate local action for the prevention of juvenile delinquency, and of recent studies of 'delinquency areas'. During the fifth and sixth meetings, discussion ensued on the rôle of the family and school, and of the social services, including medical services, in the prevention of delinquency. At the seventh meeting, on 30th August, Mr. Al-Ani (Iraq), Vice-Chairman of the Section, presided. On this occasion a discussion of the rôles of religious organizations and of the police in preventing delinquency elicited wider divergences of view and practice than had hitherto been noticeable. Some countries (*e.g.* India) did not regard religion as influencing conduct. A strong current of opinion existed in favour of the development of specialized police agencies for dealing with children. An account of the juvenile liaison officer scheme now being developed in England was applauded, and other speakers gave accounts of developments in their own countries. One remarked that in some countries the rôle of the police was less to prevent delinquency than to enforce the will of the political party in power.

The draft report, introduced by the rapporteur, Professor Tappan, at the Section's final meeting, commanded general approval. This document, of considerable length, expressed a wide range of general principles, most of which are familiar and accepted in this country. The following measures recommended may be of special interest: (a) Specific anti-delinquency policies. (b) Special attention to 'delinquency areas' and artificial communities, *e.g.* new housing estates. (c) Maintenance of family structure in developing countries. (d) Extended counselling services and financial assistance to prevent family break-up. (e) Inten-

sive co-operation and referral between all services. (f) A wide extension of research into causation, prevention and treatment of delinquency.

Renewed discussion, however, arose regarding the references to religion and the police. It was represented on behalf of the United Kingdom, among others, that the report did not reflect the consensus of opinion at the seventh meeting, and a revised text was adopted which is perhaps of sufficient interest to quote:—

‘The fundamental mission of the police is to ensure the protection of property and persons; and the prevention of delinquency, particularly of minors, is normally one of its duties. From the nature of their function police officers are in permanent contact with all classes of society. Being thus well placed to detect dangerous conditions and criminogenic factors, it is for them to take steps within their competence, and also to alert the judicial authorities and the social, health, and other qualified services. In the general organization of the police, the institution of special police services for juveniles should be officially encouraged. These special services should be composed of specially trained police officers’.

When the report came before the final plenary meeting, six European Governments expressed dissatisfaction with its generalized nature and suggested that in future more defined topics should be discussed and clearer conclusions reached. An amendment was added strengthening the recommendation regarding research, and the report was adopted without opposition but with five abstentions. During subsequent discussion introduced by the general rapporteur, Professor T. Sellin, amendments to the resolutions conveying the recommendations of the Congress to the United Nations were accepted in the sense desired by the six governments, as the result of which the abstentions were withdrawn and the adoption of the report was unanimous.

The Congress may be congratulated on having established a foundation of generally accepted principles on which to build detailed policies. The insistence from all quarters on the need for research and scientific evaluation of the effects of social action may, however, be regarded as even more gratifying by those who believe that the road to improvement in the treatment and prevention of delinquency lies through the increase of scientific knowledge.

Summary of Resolution. The Congress:

(1) *Requests* the Secretary General to transmit this report to the Social Commission of the Economic and Social Council, calling its attention to the necessity of maintaining the priority already given to the question of juvenile delinquency in the programme of work of the Social Commission of the Economic and Social Council, and to the need for including important aspects of this subject in the future work programme of the Regional Consultative Groups organized in accordance with the above-mentioned resolution.

(2) *Recommends* that the Secretary-General of the United Nations should inform the Social Commission of the Economic and Social Council of the following suggestions with a view to their being included in the social defence work programme: (a) that a study be made of the methods used for the prevention of juvenile delinquency for the purpose of assessing the practical results of these methods, both direct and indirect; (b) that the help of the non-governmental organizations with special knowledge in this field be sought in this connection; (c) that the United Nations Regional Consultative Groups and seminars continue

to devote attention to the various aspects of juvenile delinquency; and (d) that, when organizing forthcoming congresses, conferences or seminars, the organizations concerned, taking into account the problems facing different regions of the world, should select clearly defined topics allowing for a thorough study and a useful comparison of the experience acquired in the various countries.

C. P. HILL

THIRD INTERNATIONAL CONGRESS ON CRIMINOLOGY

London, 12th – 18th September, 1955

A. Reporting on international congresses is notoriously a difficult and unenviable undertaking. Ideally, it should be done by somebody who has contrived to be at several places at the same time, who understands all the languages spoken and masters all the disciplines represented, who is fully aware of the complexities and frustrations of organizing congresses of this particular brand without being too closely connected with the running of the one in question. The present writer belongs to none of these various categories, and all he can possibly try to do is to give a very sketchy but unbiased account of his own limited impressions—particularly limited in scope as his official duties prevented him from attending any of the sectional meetings except those of Section I. Even this he would not be bold enough to undertake had he not been given access to the documents by the President of the Congress, Dr. Denis Carroll, and also received valuable supplementary information from some of the Secretaries of Sections on the work of their respective groups. Notes kept by a few other participants and a symposium on the subject arranged as part of his postgraduate seminar at the London School of Economics also proved very helpful.¹ A more complete and perhaps also more objective assessment of the place of this Congress in the history of international criminological gatherings must be left to others. The Resolutions of the five Sections are reproduced below, and it is hoped that the main transactions of the Congress will be published as a separate volume in the not too distant future.

The Congress was attended by over 400 delegates from 43 countries.

B. The work of the Congress was divided into four categories: I. Plenary Sessions; II. Multi-disciplinary Section Meetings; III. Specialist Meetings; IV. Lectures and individual Communications specially prepared for the Congress. While the main subject was Recidivism, facilities were also given, in categories III and IV, for the discussion of other topics. In accordance with a plan worked out by the Scientific Committee of the International Society of Criminology, under whose auspices the Congress was held, the discussion of Recidivism was divided into five Sections: I. Definition and Statistical Aspects; II. Descriptive

¹ Acknowledgment should be made in particular to the following for giving valuable information: Dr. T. Grygier (Section I), Dr. J. C. Spencer (Section II), Mr. P. H. K. Kuenstler (Section IV), Mr. A. G. Rose (Section V), Miss J. Graham Hall, Mr. W. J. Bolt, Dr. R. G. Andry, Dr. T. P. Morris, Mr. L. T. Wilkins, Mr. M. Shipman and Mr. A. N. Little.

Study of Forms of Recidivism and their Evolution; III. Causes; IV. Prognosis; V. Treatment. This scheme, while logically perfect, was criticized on two grounds: (1) Since all five Sections met simultaneously it was impossible for any of them to profit from the work of the others. Previous agreement on the definition and extent of recidivism, for example, would have been of value to the discussions of the other Sections, and the Section on Treatment might have especially benefited if information on the findings on extent, evolution, causes and possibilities of prediction had been at its disposal. Considerations of time and expense made it impossible, however, to hold the sectional meetings consecutively. Nevertheless, organizers of future congresses having a central theme split into various sections should make every effort to profit from this London experience. (2) The separate discussion, on the one hand, of the purely descriptive analysis of the evolution of a criminal career (Section II) and of causation (Section III) on the other, though scientifically unassailable, proved hardly practicable, and the view was expressed that the work of these two Sections might have gained by amalgamation and joint discussion.

C. THE WORK OF THE FIVE SECTIONS

Section I. Although this Section had the dual task of dealing with both definition and statistics, its membership—a majority of lawyers and criminologists, with statisticians and police experts in the minority—gave rise to a marked tendency to spend most of the available time on the first at the expense of the second subject. The general report of Professor Norval Morris (Melbourne) dealt with definitions, that of Professor Roland Grassberger (Vienna) also with their statistical significance. Both reports proved of the greatest value as a basis for the discussion, and Professor Morris's basic point that for different purposes different definitions are needed found acceptance in the Resolutions of the Section. Complete agreement on his distinction between (a) the narrow 'penal' definition of the recidivist as 'a person who being in prison has been there before', (b) the legal definition: 'a person who after a previous conviction is again convicted', and (c) the criminological definition: 'one who, having been the subject of a prior conviction, subsequently commits a crime, whether he is or is not detected in this subsequent crime', was more difficult to reach. Attention was drawn in particular to the French distinction between 'recidivism' as a criminological term referring to 'anti-social behaviour presenting a prolonged social danger and manifested in repeated offences' and 'recidive' as a legal concept strictly limited to legally proved acts rather than including criminological situations and conditions. It was agreed that a criminological definition, quite apart from the penal and legal ones, was indispensable, and, as the Resolution shows, this criminological definition was finally conceived as covering two different meanings.

Time proved too short for a really constructive discussion of the many statistical problems awaiting solution, to which attention had been drawn in Professor Grassberger's admirable report, largely based on his book, 'Die Lösung kriminalpolitischer Probleme durch die mechanische Statistik' (1946): the actual proportion of recidivists in the population, the 'dynamics' of recidivism, differences between the various types of crime, intervals between punishment and relapse, and many others. Interesting observations were offered, however, on certain characteristics of the international recidivist (his mixed ethnic and cultural origin, very

often with a nationality different from his place of birth and operating exclusively within his own cultural group); on the difficulties for the research worker arising from the Rehabilitation Acts of several countries, providing for the destruction of criminal records after a certain crime-free period; on the largely insoluble difficulties of comparing statistics of different countries; and on the need for general directives on the minimum requirements to be observed by official national criminal statistics of each country. Accordingly, the Resolution adopted asks the International Society of Criminology to form a committee to study the last-mentioned subject.

(*Chairman of Section:* Hermann Mannheim, Great Britain.)

Section II. General reports were submitted to this Section by Professor Walter C. Reckless (Ohio State University) from the sociological and by Dr. C. H. Andersen (Antwerp) from the psychological point of view. It was noted, apparently with surprise and satisfaction, that in spite of their different backgrounds and the fact that they came from different continents both *rapporteurs* had come to the same conclusion confirmed in the Resolution of the Section, that there are two basically distinct types of recidivists: the one 'sociologically a member of a criminal sub-culture and psychiatrically a person whose super-ego accepts his criminal behaviour'; the other 'sociologically a deviant, psychiatrically an individual with a weak super-ego or an uncontrollable ego': in other words, on the one hand the recidivist well adjusted to his own group, on the other hand the altogether mal-adjusted recidivist. One need hardly add that between these two extremes a number of mixed types will be found. Issue was taken with Professor Baan's view (see Section III), altogether disputing the existence of a 'professional criminal'. While admitting the close interrelation between typology and etiology, it was stressed that even without full knowledge of the causes of recidivism the factual descriptive technique had its independent value for the understanding of this phenomenon. In order to refine existing techniques and to make the material collected in different countries comparable, greater standardization in the design of case history forms was unanimously recommended, and the setting up of a sub-committee on the matter by the International Society of Criminology was requested.

(*Chairman of Section:* Rudolf Sieverts, Western Germany.)

Section III. The work of this Section was in danger of being adversely affected by the non-arrival of the General Report on the sociological causes of Recidivism. In the place of the originally appointed General Rapporteur from India, his fellow-countryman, Mr. Kulkarni, was invited to make some introductory remarks which dealt mainly with the criminal tribes of India as illustrating the overwhelming importance of environmental factors in his and other Asian countries. Further sociological factors discussed by the Section were the film and the Press. There were also references to the definition and typology of recidivism. In the main, however, the work of the Section seems to have been concerned with the points made in Professor P. A. H. Baan's (Netherlands) brilliantly stimulating General Report, some of which, in spite of its human warmth, was apparently regarded as slightly provocative. Much of its controversial character was probably due to

the, in parts, somewhat uncompromising and necessarily over-condensed manner of presentation rather than to its actual substance. The criminologists should concern themselves not only with the 'legal' recidivist but also with the one who merely offends 'against the general standards on which a well-organized community is based'; that they should not 'search again and again for the cause of some abstract phenomenon or other', but rather study combinations of factors and patterns of behaviour; that they should not overrate the strength of hereditary, endogenic factors or the criminogenic significance of mental deficiency; that of a sample of 100 persons admitted to the hospital as psychopathic '90 or more turned out not to be so' ('although statistics are really repugnant to me'); that 'the criminal records of recidivists are not homogeneous' (see already the material presented in 'Social Aspects of Crime', 1940, pp. 359 *et seq.*)—these and many other of Baan's statements sound far from revolutionary at least to Anglo-American criminologists, though they may possibly be so regarded by others. Naturally, over some other points one feels tempted to take issue with Baan, for example, when he disputes, somewhat too categorically, the view that swindlers often show a particularly well developed imagination; when, ignoring its usefulness for purely practical, initial classification, he roundly condemns any kind of typology (though actually making frequent use of this technique himself); and, last but not least, when he bluntly—though not altogether without qualifications—refuses to admit the very existence of the professional criminal, this 'fairy-tale', this 'myth'. It was here that, not only in Section III but in other Sections as well, the strongest opposition arose, in particular from Police experts and lawyers, and one gets the impression that Professor Baan's case material may perhaps not have given him much opportunity of making contact with specimens of the type familiar to workers in very large cities. With such reservations, his report, which was largely based on a study of about 1,000 recidivists thoroughly examined at his Clinic at Utrecht, has to be counted as one of the high-lights of the Congress. It is a matter of regret that he found himself in a position similar to that of Professor and Mrs. Glueck with regard to their interesting joint report on 'Physique and Delinquency', presented to one of the Plenary Sessions, of being unable to divulge any final results of his studies. The hope may be expressed that when Professor Baan's study is published a full English version will be made available.

(*Chairman of Section: Johs Andenaes, Norway.*)

Section IV. This Section had at its disposal the masterly General Reports by Professors Sheldon Glueck (U.S.A.) from the socio-legal and Israel Drapkin (Chile) from the psychiatric points of view, with another distinguished specialist in criminological prediction, Professor Erwin Frey (Switzerland), as its chairman. Those delegates, however, who expected from its discussions some further progress in the development of new prediction techniques seem to have been disappointed, as most of the time had to be spent in debating the 'whether', the justification of criminological prediction, rather than the 'how'. An important group, mainly consisting of eminent lawyers, psychiatrists and case workers, and apparently not sufficiently familiar with the philosophical climate of prediction, its possibilities and often enough discussed limitations, argued that 'the use of predictive devices

assumed a static, predetermined, automatic and non-personalist view of human behaviour' and stressed the dangers to the '20 per cent. minority' which, they feared, might arise from a 'servile application of the prediction tables by Courts and other authorities'. Fortunately, this negativistic and slightly out-of-date attitude did not prevail, and the Recommendations printed below, together with Frey's spirited address to the final session, can be welcomed as an important milestone in the history of criminological prediction.²

(*Chairman of Section:* Erwin Frey, Switzerland.)

Section V had the largest membership. Its General Reports were the work of two eminent practitioners, Monsieur Charles Germain (France) and Dr. Georg K. Stürup (Denmark). The vast field to be covered by the Section and the limited time at its disposal made it difficult to produce anything startlingly new. According to reports received, the tone of the discussions was mainly set by Dr. Stürup's contributions, stressing, among other points, the loneliness of the recidivist and his feeling, arising from repeated prison sentences, that 'every man's hand is against him'; the importance of knowing and understanding the offender's own estimation of himself as a hopeless failure and of developing constructive therapeutic methods of treatment in prison in order to help him change his outlook. The indiscriminate cumulation of prison sentences without adequate diagnosis was also criticized by M. Germain, and altogether the Section was against any automatic increase in the length of sentences for each new offence. As will be seen from the Conclusions printed below, the setting up of an international study group was recommended to exchange case histories and comment upon them. The group, which might well broaden its scope so as to meet the corresponding proposals of Section II, was actually formed and met already during the Congress, and this step may well prove one of its most promising results.

It will be one of the primary tasks before the Scientific Committee of the International Society of Criminology to take appropriate action to implement the Recommendations of the Sections, to assist the study group in its work, and possibly to promote the formation of other similar groups and, above all, to co-ordinate the various efforts.

(*Chairman of Section:* Benigno de Tullio, Italy.)

D. One Plenary Session each was devoted to symposia on 'Physique and Delinquency', by the Gluecks (already mentioned above under C, Section III, at the end) and on homicide, with papers by Professor Gösta Rylander (Sweden) on the 'Psycho-sociological Study of Murderers in Sweden', Dr. J. A. Hobson (United Kingdom), on 'Emotional reaction of arrested murderers to their crime,

² Frey has now published an interesting evaluation of the Congress (*Schweizerische Zeitschrift für Strafrecht*, Vol. 70, No. 4, 1955, pp. 450-456), in which he predicts that the London Congress may in future be regarded as a turning point in the history of Criminology. He utters the warning, however, that the existing prediction tables are not yet reliable enough to be put in the hands of the courts. While this is perfectly true it can hardly be said that any premature and indiscriminate use of such tables is likely to be encouraged by the carefully worded Resolution of Section IV.

their trial and their sentence' and Professor M. Wolfgang (U.S.A.) on 'Murderers and their Victims' (read by Professor T. Sellin).

Rylander's study of 95 men found guilty of murder or attempted murder in the period 1930-53 and examined at his Institute in Stockholm was interesting in showing that only 9 of the 95 were found normal, and that only one of the 48 men conditionally discharged after an average residence in hospital of 3 years 9 months committed a serious offence, burglary, after discharge. Dr. Hobson, whose paper was given more space in the Press than any other single contribution to the Congress, reported on his investigation of loss of weight and sleep in an unselected sample of 50 men in Brixton Prison, London, charged with murder: he found an average gain of $8\frac{3}{4}$ lb. and an average period of $7\frac{3}{4}$ hours of sleep a night, which according to some newspaper reports seems to have led to the conclusion that 'murderers don't worry'. This is not the place for a detailed critical examination of the subject, nor have criminologists to be reminded that no sweeping conclusions of any kind can be drawn from any such findings. Wolfgang's paper showed that in a group of 621 murderers in Philadelphia, 64 per cent. had previous records of arrest, which, as far as it goes, seems to contradict the belief that murder is usually a first offence.

Other Plenary Sessions were devoted to Mr. Justice Barry's (Australia) paper on 'Alexander Maconochie', giving an attractive foretaste of his forthcoming book on this great pioneer in penology; to Professor Marshall B. Clinard's (U.S.A.) important programmatic survey of 'Frontiers of Research in Criminology'; and Dr. Gregory Zilboorg's (U.S.A.) whimsical case histories illustrating some of 'the psychological and penological aspects of various types of recidivism', received with enthusiasm by some sections of the audience.

Space forbids even to mention the titles of the many valuable individual papers read in the Specialist Meetings.

It is too early yet to pass judgment on the work of the Congress as a whole and it seems doubtful whether one universal formula will ever be found accurately to define its effect on the future direction of criminological thought and penological practice. For the time being, Professor Frey's view that this Congress means the end of 'the purely sociological interpretation of the causes of recidivism as found in particular in the United States' can be accepted only with the important qualification that the psychological and biological elements in recidivism have not been as completely ignored in U.S.A. as Frey maintains and that the future is likely to belong to a synthesis of all three factors so far only inadequately achieved. A truly international discipline of Criminology instead of our present national and regional groupings, though, it is hoped, brought nearer through this Congress, still remains an ideal.

H. M.

SUMMARY OF CONGRESS RESOLUTIONS

Section I. The First Section of the Congress discussed its problem in two parts. In the first part the discussion centred around the problem of definitions of recidivism. Various legal, penological and criminological definitions were proposed and discussed. Some delegates questioned the usefulness of the concept of recidivism altogether and suggested such terms as 'habitual' and 'professional' delinquency as more meaningful.

Various views were voiced about the necessity or otherwise of conviction as an essential element of recidivism. Finally, some delegates suggested the use of definitions according to their aim. They argued that every definition, either legal or criminological, can be regarded as a tool, as a means to apply legal sanctions or to organize research material. For that reason there must be a variety of definitions according to different laws, legal systems and research requirements. In spite of this wide divergence of opinion the Section elected a special sub-committee with the object of producing an agreed definition or statement. The first report of this sub-committee summarized the various points of view, and another attempt was made to reconcile existing differences. The sub-committee then produced the following statement, which was unanimously accepted by the Committee:

For different purposes criminologists need different definitions of recidivism. Recidivism in the criminological sense, therefore, includes the following main forms:

- (1) that a person having committed a first crime which was legally established, and having been convicted of it or in any other way dealt with officially by society, then commits another crime (*recidivist stricto sensu*);
- (2) that a person after having committed a first crime legally established and dealt with resumed his criminal activity because of his 'dangerous state' (*recidivist lato sensu*).

The second part of the deliberations of the First Section was devoted to Statistics. Some interesting statistical material was presented from a variety of countries. With regard to method, there appears to be a trend from descriptive statistics to operational research, *i.e.*, to statistics related to action. While descriptive and general statistics were discussed mainly from the point of view of international co-operation and comparison, statistics collected by research workers for particular purposes appeared to aim mainly at determining future action. In particular, prediction techniques were advocated as the best method of deciding on the type of treatment suitable to the individual offender. It was mentioned that sentencing policy can also be helped by statistical methods if it is proved that certain types of sentence are more effective than others.

The importance of criminal records was mentioned in the discussion. These records are often destroyed according to legal requirements, and some delegates expressed the desire that they should be preserved as long as possible for scientific investigation by criminologists.

General dissatisfaction was expressed with regard to the present state of international statistics. It was agreed that it is at present very difficult to compare the statistics of different countries, even of different regions within one country. Interpretation of statistical data is even more difficult on an international basis. The following resolution was unanimously adopted:

That the Congress recommend that a committee be appointed to examine the data on recidivism in the official criminal statistics of various countries and to prepare a report suggesting minimum objectives and standards for the collection and publication of such data.

It was also agreed that such a committee could be formed by the International Society of Criminology and that detailed suggestions of individual members should be made to the Society.

Section II. The study of symptomatology of recidivism has made it possible to distinguish, on the one hand, a group of recidivists who have accommodated themselves to anti-social activities, who have acquired techniques for the perpetration of their crimes and who display an increasing degree of criminal sophistication; and, on the other hand,

a group of recidivists who repeat their offences because of their mal-adaptation, both socially and psychologically.

The study of the forms of recidivism, considered from the point of view of the dynamics of criminal behaviour, cannot realistically be separated from the study of the causes of recidivism.

Although, in its present state of development, the science of criminology is able to make a symptomatological description of recidivism, it is not yet able to give a valid explanation of the etiology of recidivism. However, the typological descriptions of the basic forms of recidivism have considerable importance for the prevention and treatment of recidivism.

The scientific study of recidivism must involve simultaneous research in different countries of the world with different groups of recidivists. Such research should be conducted at any particular clinic or institute by a team of competent research workers.

Considerable interest has been expressed in using uniform lists of data to be collected in individual case histories. Such lists should be as comparable as possible in all countries and should lend themselves to statistical graphing and analysis. The Section requests the Scientific Committee of the International Society of Criminology to establish a sub-committee which should study the scientific and practical conditions under which criminological research can proceed with teams of competent workers, using uniform lists of data in the collection of case history information.

Section III. On the basis of the valuable general report of Professor Baan, the Section has discussed *causes of recidivism*. This raises the question of the two concepts: *recidivism and cause*.

As to the first concept, there has been general agreement to take it in a rather broad sense, comprising all offenders who, after having fallen into the arms of the law, are found to commit a further crime of some importance. To a certain extent attention has also been paid to cases of repeated crime in offenders who never are caught and found out. It has not been felt necessary in the discussion of causes to go deeply into the problems of definition or to cling to a strict definition of recidivism. Instead of drawing a sharp border line between conduct labelled as recidivism and conduct not so labelled, it seems more important to be aware that there are *degrees* of recidivism with continuous shades between the casual first offender and the highly persistent criminal, and between recidivists in petty offences and recidivists representing a real danger to society.

Nor has the conception of *cause* been thoroughly discussed. The general report points to the modern tendency to use the less pretentious terms of *correlations* or *factors* instead of *causes*. It was generally agreed that it is no use seeking for *the* cause of recidivism. The term recidivism covers a variety of forms of conduct, and the individual cases of recidivism grow out of a complicated interplay between hereditary, personal and environmental factors in ever-changing constellations. It has been felt, however, that the very concept of cause, generally applied in a rather loose and perhaps inconsistent way, should be the object of further inquiry and clarification. Perhaps the tools of modern analytic philosophy and semantics may prove to be helpful in this respect.

It has been impossible to discuss the causes of recidivism isolated from the question of causes of criminal conduct in general. The factors, or the constellations of factors, which tend to lead up to a first offence must be assumed to play a role also in the repetition of crime. Among these factors the role of mass media—for example, press and cinema—has been stressed. But the Section has endeavoured to focus attention on the factors which have a special bearing on *recidivism*. What characterizes the recidivist is that he continues to commit crimes after having been caught and found out. We have asked what special traits—in personality or in social and personal conditions—distinguish

the recidivist as compared not only with the average citizen but also with the casual offender? Each single case of recidivism represents a failure on the part of society in its dealing with the offender. From this angle the question could be put thus: In what cases, and for what reasons, are the sanctions which society applies unable to counteract effectively the criminogenic factors involved?

It has been generally agreed that a multidisciplinary approach to the problem is necessary. The study of recidivism as well as of other forms of criminal conduct ought to be done in co-operation between psychologists, psychiatrists, sociologists and social anthropologists; and the practical experience of lawyers, police officers, prison administrators, ministers of religion and social workers is also essential.

It has been a common thesis of criminologists that social factors play a dominant part in the etiology of the casual offender, and personality factors in the case of the recidivist, but this can only be accepted as a broad generalization. Examples from history, as well as from several countries in our own time, show that social, cultural and economic factors may play a dominant role also in the forming of recidivism. Members from India, Kenya and South Africa have given striking illustrations of this point.

As far as the individual factors are concerned it seems to be established that mental disease and abnormal personality traits play a much greater part in recidivism, and especially in grave and persistent recidivism, than in casual criminals. When the criminal conduct has its roots in mental disease or abnormal personality traits we generally have before us persistent tendencies unlikely to be corrected by our penal measures. It has been strongly emphasized, however, that the labelling of offenders, for instance, as psychopaths or mental defectives, although it might be useful as a form of classification, is in itself of little value in the process of understanding the dynamics leading up to the repetition of crime. The labels just give a starting point for deeper-going investigation. Disturbances of conduct which have led to the diagnosis of psychopathy, on closer scrutiny, often turn out to be due to mental processes of a quite different character. As to mental deficiency, this seems to have been over-estimated as a factor in recidivism. As a result of recent investigations there is little evidence that low-grade intelligence as an endogenous factor plays an important role in the causation of recidivism. The difference in I.Q. earlier found between the average population, the casual offender and the recidivist may often be due to differences in the social and cultural background between the groups.

The question of neurotic seeking for punishment, conscious or unconscious, as a factor in crime, and especially in recidivism, has been discussed. There has been general agreement that such cases occur but that cases where this mechanism is at work, or at least cases where it can as yet be clearly demonstrated, are not frequent. It is a task for further investigation to discover if this factor plays a role in a great number of cases. The need for protection against criminal impulses has also been mentioned as another important factor in recidivism.

The problems concerning the professional criminal have been discussed at length. No doubt there exist cases of persons seeking their living by crime—for instance, pick-pockets, professional car thieves, burglars and so on. The number of such cases, however, greatly varies according to conditions in different countries. But as to the psychological explanation of the phenomenon views have differed. Some members are disposed to look upon the professional criminal career as the result of a deliberate choice of profession, where the prospect of gain on one side, the risk on the other side, are the dominant factors together with a certain lack of moral standards in the offender. Others—and among them the general *rapporteur* Professor Baan—lay the stress on emotional factors, such as hurt pride, disappointment, frustration, resentment, etc., and contend that nobody chooses a criminal career out of normal and rational considerations. No agreement was reached on this point.

The social factors in recidivism greatly vary from one country to another, a fact which has been illustrated during our discussions by many examples. In some countries,

among them the Scandinavian, a very high proportion of recidivists are alcohol addicts. This fact established however, questions still remain as to the further individual and social causes of the alcohol abuse, and the kind of relation existing between the person's abuse of alcohol and his criminality. Lack of time prevented further discussion of this point.

Among the factors determining the further fates of the criminal, the penal system itself plays an important role. If society treats a first offender in an unsuitable way, this obviously increases the risk of recidivism; and if it treats a recidivist in an unsuitable way, this likewise increases the risk of further recidivism. In cases where punishment is unable to counteract the factors leading to criminality, or even tends to reinforce them, other measures—for instance, medical treatment or measures of social welfare—might be appropriate. It has been felt, however, that it would fall outside the scope of the Section to discuss at length the problems of treatment.

Besides the legal sanctions the general attitude of society to the criminal is also of importance. Some comment has been made on the tendency in the public, and even in prison administrators and other officials, to look upon the convicted offender, not to speak of the recidivist, as a person outside society, a man who merits suspicion and contempt. This attitude cannot fail to have repercussions on the criminal himself and to increase the risk of his relapse into crime. It is therefore important to develop a general attitude of helpfulness and understanding towards the offender.

Section IV. (1) That fundamental attention should be paid by legislators, judges, correctional officials, clinicians and researchers in criminology to the problem of recidivism as a major issue in the prevention of crime and the treatment of offenders. In order to achieve these purposes it is recommended that adequate prognostic services should be established in the various countries.

(2) That the prognosis of recidivism can be improved, among other methods, with the aid of prediction tables based on a demonstrated high relationship between certain personality, character, biological and socio-cultural factors on the one hand and varieties of conduct on the other.

(3) That the use of systematic methods of prognosis, including validated predictive devices, should be encouraged; provided that such methods are not applied automatically, but used as instruments in the hands of teams composed of professional skilled workers serving agencies charged with the administration of justice involving juvenile and adult offenders.

(4) That, because of the close relationship between recidivism and early delinquency (*Frühkriminalität*), it is advisable to encourage the development and use of prognostic devices, including predictive tables, in the prediction of early delinquency.

(5) That the utmost care needs to be taken in the definition, assembling and verification of the factors which form the basic data on which prognostic methods, including prediction tables, are built, and in checking up on the actual extent of recidivism as related to such factors.

(6) That an indispensable aspect of any improved prognostic technique is the validation of the predictive methods on samples of cases other than those on which they were developed in order to transform them as far as possible into effective instruments for prognosis.

Section V. (1) The Section felt that it is difficult to study treatment without knowing the conclusions of the other Sections, especially those of Section I (Definitions) and Section III (Diagnosis); nevertheless, it proceeded as on the assumption that there was common ground.

(2) The following subjects were discussed:

- (a) *Prevention.* Recidivism has many causes and the duty of society is to improve social conditions. In particular there should be less glamorization of the criminal in the press.
- (b) *Legal Aspects.* It was agreed that on the whole we know what is essential on a sufficient basis of law to ensure adequate treatment of the recidivist (e.g., indeterminate sentence or measures of security). Increasing the length or severity of punishments should not be recommended. The choice of the judge in sentencing should not be too limited.
- (c) *Penal Aspects.* It appeared from numerous statements that in most countries penal administration is conscious of the need to provide suitable methods for dealing with recidivists. Work, vocational training and general education retain their value. The Section was, however, well aware that such methods are not sufficient in modern treatment. It is essential that such methods should be seen as part of a general plan directed towards the reclamation of the individual. In order to effect this it is necessary to ensure the closest collaboration between all types of staff and particularly between specialist and administrative personnel. It is essential, further, that we should have greater knowledge of the offender and his needs and the nature of his experience in the institution.

The training of staff should consist not only in theoretical principles, but in properly supervised work with offenders.

The Section believed that most important gaps in knowledge are:

- (1) In the long-term study of the offender. It was proposed in this connection that an international group should be formed to exchange case histories.
- (2) In the creation of suitable classifications in view of the nature of institutional treatment.

The Rôle of Professional Treatment

(1) For the planning of professional treatment it is more necessary to know the prisoner's personality pattern, his estimation of himself, his educational background and social possibilities and type of criminal behaviour, than his formal conviction.

(2) For good teamwork all members, including the security staff, must be trained so that they can understand the general plan of treatment and the importance of accurate and detailed observation.

(3) It is essential that the prison staff has a clear idea of the conditions under which the offender will live after parole and that the officer supervising aftercare should be part of the team. Only in this way can there be continuity of treatment.

(4) One of the prime problems of the prisoner is his 'loneliness', a feeling that no one respects him as a human being. This should be counteracted by including the offender in groups with professional and security staff. It is essential that the offender should be carefully prepared for this type of treatment and, indeed, any method not familiar to him, or new to the institutional setting.

(5) The Section also discussed the value and application of specialized medical and surgical methods of treatment, in particular lobotomy, castration and, especially for paranoids, the use of new drugs.

REPORT OF THE PRISON COMMISSIONERS FOR 1954

The Prison Commissioners' plans for new development within the English prison and Borstal system have been seriously handicapped in the post-war years by the rise in the prison population as well as by shortages of staff. Their report for 1954 published last August tells a happier story.³ During the last quarter of 1954 the population was the lowest since 1950, having fallen during the year from 23,000 to 21,200. Even so, there still remained over 3,200 men sleeping three in a cell in local prisons. The shortage in staff only permitted the extension of the three-shift system in the two central prisons of Dartmoor and Parkhurst, and a further extension in 1955 is not anticipated even assuming that the improvement in recruiting caused by the October increase in pay is maintained. Provision has still to be made for the needs of additional institutions.

Of the new institutions which are planned, penologists will be specially interested in the 'East Hubert' psychiatric institution at Grendon Underwood, near Aylesbury. Work on the building, intended to accommodate a maximum of 350, will start in 1956, though it will not be ready for occupation for another four or five years. The functions of this institution remain the same as were originally planned. The emphasis is primarily treatment/research and 'to weigh the clinical climate with the more difficult and often irreversible psychopathic personalities would vitiate the forward-looking therapeutic atmosphere which it is hoped will obtain'. The conclusion is that men for whom existing reformation measures in prison are inappropriate will not be sent to Grendon Underwood, and certainly not in its initial stages. The Commissioners emphasize this particular point since they believe that there has been misunderstanding in some quarters.

Each annual report points to many of the same unsatisfactory features of the penal system. Sentences of five weeks or under, for example, in spite of all that has been said on the problem still constitute one-quarter of the total receptions in the case of men and 40 per cent. in the case of women. In this short note, however, for reasons of space, three matters are selected from the report for special comment.

The first concerns the progress of corrective training and preventive detention, the two methods of dealing with the persistent offender introduced by the Criminal Justice Act. The courts' use of the former method has decreased and of the latter method has increased since their initial introduction. While recalcitrants among the C.T.s are very few in number, Governors continue to emphasize in their reports the prevalence of the inadequate and the apathetic personality. Nevertheless, 30 per cent. (as compared with 20 per cent. in 1953) were considered to be suitable for regional training prisons. Only 3.5 per cent. of men on whom unsuitable reports were made to courts were in fact sentenced to corrective training, an improvement in the last four years. Bearing in mind these early mistakes in selection we cannot easily assess the significance of the reconviction rate of the 1952 discharges, now reported as 52.2 per cent. by the end of 1954. As regards the second method, sentences of preventive detention had been passed on 1,375 men by 31st December, 1954, and an additional central prison was opened at Nottingham. A most encouraging report is given of the Bristol experiment where

³ Report of the Commissioners of Prisons for the Year 1954. H.M.S.O. Cmd. 9547/1955. 6s.

a small number of men in the third stage go out to work each day from the hostel.

One chapter of the report describes the progress of the Detention Centres. The opening of a second junior centre is forecast for 1955 and a second senior centre in 1956. The estimate of their work given here conflicts rather sharply with recent external criticism of the centres. Two points, however, emerge. The first is the group of ex-Approved School boys sent to the centres and their high rate of failure, 58.8 per cent. of this group in 1953. The second is the considerable proportion of refusals of voluntary supervision among boys on discharge from the junior centre.

One of the most encouraging features of the report is the description of the educational work in prison and particularly in Borstal. Though the year was one of consolidation rather than expansion, the impression gained is of solid achievement and of a comprehensive programme designed for a variety of needs. The rôle of the full-time tutor-organizer is of special value in the organization of educational work and the account given of education in Borstal is not only most encouraging but a good omen for the future.

JOHN SPENCER.

CRIMINAL STATISTICS, 1954

Two sets of comments are called for on this latest volume of the annual Criminal Statistics.⁴ First, further efforts have been made by the Home Office to make this publication more useful. To give only a few illustrations, the information provided on motoring offences has become more specific by introducing some further classifications and, for the first time, a long-felt gap has been filled by publishing statistics about the number of persons to whom formal cautions, written or oral, were administered by the Police, instead of prosecution, for offences other than motoring offences (Chapter IX). The figures show that such cautions were given to 8,695 males and 1,872 females for indictable and to 46,033 males and 7,875 females for non-indictable offences. The figures also show that this system is by no means used only for juveniles; they include 2,397 persons of twenty-one and over cautioned for indictable and 36,908 such persons cautioned for non-indictable offences. Further material on the matter is given in Group IV of the 'Supplementary Statistics' which are not published but distributed on application; they show for each Police district the number of persons cautioned according to age and sex and are of particular interest in revealing certain striking local differences: whereas, e.g. Liverpool and Birmingham make fairly liberal use of cautions even for indictable offences, Manchester and the Metropolitan Police District seem to be altogether opposed to them. These statistics, if continued over a period of years, will provide interesting information on Police attitudes.

Secondly, as far as the fluctuations of crime in recent years are concerned, the present volume shows a further fairly substantial decline in the number of indictable

⁴ *Criminal Statistics: England and Wales*, 1954. (London: H.M.S.O., Cmd. 9574, 1955. Pp. xlvii and 92. Price 6s.)

offences known to the Police (434,327 as against 472,989 in 1953 and 513,559 in 1952) and in those of persons found guilty of offences of all kinds, but a slight increase in those found guilty of non-indictable offences. For sex offences, the number of persons found guilty has remained the same, for all crimes of violence it has risen by 7 per cent., but for robbery there was a decline by 16 per cent. As far as methods of disposal are concerned, there has been, for the first time in recent years, a slight but welcome increase in the percentage of persons placed on probation.

H. M.

REFORM OF THE GERMAN CRIMINAL CODE

Materialien zur Strafrechtsreform. 1. Band: Gutachten der Strafrechtslehrer (Bonn, 1954, pp. 399). 2. Band: Rechtsvergleichende Arbeiten, Section I Allgemeiner Teil (Bonn, 1954, pp. 467). Section II Besonderer Teil (Bonn, 1955, pp. 533). Distributed by Dr. Hans Heger, 20 Rheinallée, Bad Godesberg, Western Germany.

Preparatory work on the reform of the German Criminal Code of 1871 was first begun early in the present century and led soon to the publication of the impressive and in many ways unique *Vergleichende Darstellung des deutschen und ausländischen Strafrechts* (15 vols., 1905-09). It was repeatedly interrupted by two world wars and the resulting political and economic upheaval and has not yet been completed. It was only recently, in 1954, that the Western German Federal Ministry of Justice took the initiative again and appointed a Commission, consisting of University teachers, judges, barristers and members of Parliament, to prepare a new draft of a Criminal Code. The discussions of this Commission are published as appendices to the *Bundesanzeiger*. Closely connected with the work of the Commission and also under the auspices of the Federal Ministry of Justice, two important volumes have recently been published, the first consisting of papers by eighteen well-known University teachers of criminal law on a variety of general problems and the other of a large number of comparative legal studies prepared mostly by younger members of the Institute for Foreign and International Criminal Law at the University of Freiburg i. Br. While it is impossible in a short Note to do justice to these very comprehensive studies, attention may be drawn to the following contributions which are of special interest to lawyers and penologists outside Germany:

Problems of judicial sentencing policy and the possibilities of limiting the discretion of the courts by legislative directives; the question whether it is advisable for a Criminal Code to contain any such directives and any general definition of the objects of punishment; and a number of similarly fundamental problems of legislative and judicial policy are treated by Professors E. Mezger and E. Schmidt. Professors T. Würtenberger and R. Sieverts deal with the indeterminate sentence; Professor H. Schröder with crimes against life and abortion; and Professor A. Wegner with the protection of the rules of public international law through the criminal law. It is worthy of note that both contributors on the subject of the indeterminate sentence, though differing in a few matters of detail, are strongly in favour of introducing it, with appropriate safeguards.

The fifty-four comparative studies, published in an abridged form in the second volume, are a remarkable achievement on the part of Professors H. H. Jescheck and D. Lang-Hinrichsen, who were in charge of the work, and their associates in the Freiburg Institute. As pointed out in the Preface, the object was less ambitious than that of their predecessors of fifty years ago: less space was devoted to German law and historical developments, and the contributors were not expected to make independent recommendations for law reform. The scope of the foreign legal systems to be studied was also somewhat more restricted. Within these limitations, however, an immense amount of comparative material has been collected on a great variety of subjects: in addition to some of the topics critically treated in the first volume from the point of view of German law, matters such as conditional sentence and discharge, compensation of the victim, fines, the treatment of drunkards and habitual criminals and the whole list of major specific offences are dealt with in a way which makes this volume particularly useful to students outside Germany.

H. M.

CRITICAL NOTICES

ŒUVRES COMPLÈTES DE JEAN GENET. (Paris: Gallimard, 1951-3).¹

Jean Genet was born in Paris in 1910. An illegitimate child, he was fostered out by Public Assistance in a district of the northern Cevennes, but apparently at the age of fifteen was committed to Mettray. He claims to have absconded from this institution to join the army and as promptly deserted; from that point on he led the life of a self-confessed tramp, burglar and prostitute in more than half a dozen countries of Europe. It is difficult to glean biographical facts with any precision from his books but he would seem to have started to write whilst in French prisons during the early nineteen forties and in due course his literary reputation appears to have had some influence on the remission of his sentence.

Genet's publications include four novels, an autobiographical account of his criminal life, two plays and some poetry. A collected edition of his works, which began to appear in 1951, is prefaced by a study written by Jean-Paul Sartre running to the prodigious length of nearly 600 closely-written pages: it could be argued that Sartre the philosopher is here using Genet as a vehicle for the expression of his own ideas in the guise of an apologia, but the debt of the one to the other is perhaps mutual. The novels, drawing heavily on personal experience—Sartre quotes a conversational remark of Genet's to the effect that they are not really novels because none of the characters makes a decision for himself—tend to be as diffuse in construction as they are rich in language, particularly in slang. Their locale is the underworld, they are peopled with criminals, their frame of reference is homosexual; and this material is used to create a morality which amongst other things implies an idealization of violence.

¹ Three parts, comprising: (a) 'Saint Genet, comédien et martyr', pp. 578. 1952. (By Jean-Paul Sartre.) (b) pp. 402. 1951. (Includes 'Notre-Dame-des-Fleurs' and 'Miracle de la Rose'). (c) pp. 550. 1953. (Includes 'Pompes Funèbres' and 'Querelle de Brest'.) Also 'Journal du Voleur', pp. 286. 1949.

The object of these notes is to explore the possibility of extracting from literary sources such as these information which may be of value to the criminologist. For various reasons three only of Genet's works have been selected as likely to be the most profitable. 'Journal du Voleur' is largely an account of the author's experiences as a down-and-out in Spain, in the course of which one may glean some details concerning police methods and informers, techniques of petty thieving graduating to more serious escapades and assaults enlivened by blackmailing of the victims, and brief glimpses of experiences in prisons of central and southern European countries. 'La trahison, le vol et l'homosexualité sont les sujets essentiels de ce livre,' writes Genet, but one may also add that the book is also the history of a self-analysis of a person for whom crime first became a habit then an occupation, and who in the process seems to have acquired a conscious control of his own drives which succeeded in deflecting him from the career of an habitual criminal. In the novel 'Miracle de la Rose' prison itself becomes the setting for a distillation of personal experience both in one of the 'maisons centrales' (Fontevault) and at Mettray mingled with a degree of fantasy which doubtless led Sartre to describe the book as 'l'épopée de la masturbation'. The forty-five days elapsing between the trial and execution of the youthful murderer Harcamone, inspired by a real-life character, form the chronological framework which allows the reader to be treated to an often detailed account of some of the less savoury facets of prison routine; from the welter of masochism and despair the importance and delicate balance of human relationships in an authoritarian setting is salvaged. The central and somewhat pathetic character of 'Notre-Dame-des-Fleurs' is Divine, a male prostitute whose attachments and the everyday incidents of whose life in a garret near Place Blanche form the focal interest of this, perhaps Genet's most skilful novel. As far as possible in these notes issues of literary criticism or considerations belonging more properly to the field of ethics have been avoided, but it will be appreciated nevertheless that disentangling the strands is not easy and trespass may be inevitable where the boundaries are ill-defined.

Whatever the literary pedigree of Genet's work—and his affinity with one, at least, of the novels of Carco (1) is noteworthy—some of the moral problems, using the word in the broadest sense, are the common heritage of contemporary writers. Arising out of a discussion of Melville's 'Billy Budd' Auden (2) refers in a footnote to 'Querelle de Brest' and the use made by Genet of the symbolism of the innocent sailor, not bound by the law of the land and hence guiltless, 'and whose very crimes . . . are a proof of his divinity'. And it was Gide who implied that Faulkner's characters do not exercise conscious choice between good and evil (3), whilst it is in Gide's (4) own 'Les Caves du Vatican' that by virtue of a gratuitous act the young hero pushes a man out of a railway carriage; similarly, in dealing with Genet, Sartre remarks: 'L'idéal serait que l'acte mauvais fût gratuit.' Fundamentally Sartre is interested in the problem of Evil and explains that his aim in writing his apologia for Genet is 'retracer en détail l'histoire d'une libération', whilst at the same time steering a course between the Scylla and Charybdis of Freud and Marx. In the first section of his book he sets out to analyse the genesis of his subject's criminality and by a method more deductive than empirical concludes that this was determined by Genet's illegitimacy: the origins of his guilt sprang from abandonment by his own mother, and his insecurity (after all, his adoptive parents were under no obligation to bring him

up as was his own mother) was aggravated in being forbidden material possession. Stealing, therefore, becomes the symbolic, and real, need for possession; in origin it is a game—'cet enfant qui mange à sa faim mais que la société éloigne d'elle veut, par un acte solitaire, s'intégrer à la communauté'. The child Genet having recognized himself as a thief can translate his secret fantasy world into objectivity. Evil, therefore, is within oneself and is projected; for Sartre it is 'issu de la peur que l'honnête homme a devant sa liberté'. This theme is then developed to point a parallel between Genet's criminality and his homosexual inclination: crime is a means of obtaining objectivity and Genet's homosexuality actively represents the giving of love he has never received and passively the assimilation of the power and of all the criminal stands for. Sartre remarks that for experts, magistrates, criminologists and sociologists there are no bad actions as such but only punishable ones, whereas Genet is out to show the experts that Evil exists and to reveal to the man in the street that it is rooted in himself. Sartre interprets Genet as conceding that the youthful criminal does not know what he is doing, but when society discovers him to be maladjusted (*désadapté*) then the poet, that is to say the poet in Genet, exposes the irreducibility of Evil. The cathartic effect of Genet's method is admitted: 'en nous infectant de son mal, Genet s'en délivre'.

Genet is not very explicit (in the scientific sense) on the motivation of violent crime: the 'irrationality', for example, of the negro Clément Village's murder of Sonia in 'Notre-Dame-des-Fleurs', or the murder of the old man by 'l'assassin innocent' whose nickname entitles the book and to which a hundred or so pages later he so abstractedly confesses—all this is merely presented and to some extent taken for granted, though the murderer's feelings whilst committing the crime may be copiously described. In 'Miracle de la Rose' Harcamone's 'acte banal'—the murder of the gaoler—is of the same order as the silent drowning of Sister Zoé in the pond at Mettray at the hands of Daniel: these events are not 'explained' in the form x is caused by $a, b, c \dots n$ factors and one would be mistaken to seek this kind of solution.

Dotted about the 'Miracle de la Rose' is a good deal of information about prison life at a period (on the verge of or during war) when conditions were somewhat artificial and at all events before the reforms of recent years (5). Little is said about the prison staff, except to remark on their ugliness and stupidity, but there is an accumulation of detail about daily routine including a vivid description of the harsh 'salle de discipline'. Of itself this sort of information, like old photographs, has little more than antiquarian interest and, in the view of the writer of these notes, Genet's main contribution is his re-creation of the boredom of an unimaginative routine and its effect on the relationships and attitudes of the prisoners. Homosexual tensions in prison life are very much pinpointed and Genet remarks that sexual associations formed inside prison often resulted in plans being laid by men to commit further offences against property together on release. Also of particular interest are Genet's comments on the stratification of prison society—the aristocracy of burglars over vagrants, and so forth..

Interwoven in this same book though disguised in fictional form are Genet's reminiscences of his earlier life at Mettray. Dating back to 1839 this famous institution, model for some of the first English Reformatories, was actually a 'colonie privée' and as such was regulated by the decree of 1869. In 1927 the 'colonie pénitentiaire' became the 'maison d'éducation surveillée', but in some

instances the change of label seems to have had little corresponding effect on the régime. Discipline appears to have been based on that of the adult 'maisons centrales' and the severity of the unenlightened programme led to certain disturbances in the early 'thirties, Mettray itself being suppressed in 1937. Danjou's book (6) is a frankly journalistic but no less vivid account of a series of visits to institutions for boys and girls; according to him Mettray took boys from six years upwards (inmates invariably stayed within the system until the age of twenty-one) and had a reputation for toughness, along with Spartan conditions—slung hammocks, shaved heads—and severe punishments, such as being continuously marched round a courtyard or put on a bread and water dietary. Genet¹⁶ describes how the colony was divided into 'familles' lettered A to L, each containing thirty boys under a 'frère aîné' and supervised by a member of staff, the 'chef de famille'. The cottage system allied with monitorial control gave rise to a number of abuses and Danjou, in discussing the institutions of Aniane and St. Hilaire, emphasizes the role played by the 'caïds' and their effect on the organization. These individuals, informers and gang leaders rolled into one, imposed a sexual role, male or female, on newcomers at a sort of initiation ceremony—'s'il est vaincu, le caïd en dispose comme d'une proie: c'est une femme. On le tatoue. On lui donne un surnom. On le désigne au féminin.' All this Genet bears out in detail, building up a convincing picture of the mores of institutionalized children; the murderer of Sister Zoé is in turn done to death by the other boys because he has stolen from the 'chef de famille'—as Genet remarks emphatically, 'Les colons ne se volent pas entre eux'. Mettray, which became for him something of a maternal substitute, does not escape Genet's strictures; he declares it fabricated hardened criminals even if he tones it down with the proviso that the institution 'nous a formé une âme dure mais généreuse'. In 'Journal du Voleur' he says how he forced himself to conform, and to recognize on a personal plane the need to become what he had been accused of: 'dans mon cœur je ne conservais aucune place où se pût loger le sentiment de mon innocence. Je me reconnaissais le lâche, le traître, le voleur, le pédé qu'on voyait en moi.'

Throughout Genet's books homosexual relationships are described in detail and discussed with great frankness. In 'Journal du Voleur' may be found accounts of his activities as a male prostitute, an occupation which seems to have been combined with the blackmailing and robbing of clients. But this subject is more successfully dealt with in 'Notre-Dame-des-Fleurs', and one may add in a sense more objectively handled despite Genet's identification with the main character. West (7) draws attention to the rarity of extreme femininity, pointing out that this type represents a minority of male homosexuals, and also refers to the security of group membership in homosexuality; both these facets are illustrated in this novel. Divine, who is purported to have absconded from Mettray in a nun's habit, and is at any rate on occasions a transvestist, fulfils this role to a degree that in the text he is more often referred to in the feminine than the masculine, although Genet explains—'si elle sentait "femme", elle pensait "homme"'. The book is particularly informative about the linguistic conventions of such people ('entre elles, les tantes parlaient de leurs amis au féminin'), their mannerisms and the fragile impermanence of homosexual relationships ('Les tantes sont les grandes immorales'). A good many novels, some of which are given in West's bibliography, have been published in recent years touching on homosexuality, but in some ways 'Notre-Dame-des-Fleurs' is one of the more

comprehensive, and of no little interest to criminologists, in that it reveals the reverse of Proust's medal at the opposite end of the social scale, indicating the existence of a deviant society within the wider cultural entity.

The novel may be used as an instrument of social comment and although the raw material of the novelist's personally observed facts is the same as that quarried by the social scientist the method of collection and processing is different; similarly their aims diverge, the former tending towards moral action and the latter towards social action—if such a distinction is meaningful. Accordingly one cannot expect to find in Genet's work information about the ecology of delinquency or its motivation. The author may describe the states of mind of his characters—in Genet there is as much about the behaviour of criminals at moments of tension as about techniques of burglary—and there may be revelations of a personal nature, as a version of the autobiographical case-history developed by Shaw. It is just at this juncture, where the novelist's personality structure protrudes, that difficulties arise for the criminologist. In Genet's case his attitudes to such things as institutions, stealing, sex, etc., may be isolated, and no doubt a medical psychologist working on the printed text alone could go a long way to delineate his psychopathology: taking these factors into account one's method must be adapted to distinguish between the relative subjectivity and objectivity of the material, which is made all the more relative of course by its fictive nature.

JOHN CROFT.

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LANDSSVIGER KRIMINALITETEN I SOCIOLOGISK BELYSNING ('The Criminality of Collaboration from a Sociological Viewpoint'). By Karl O. Christiansen. (Copenhagen: 1955. Pp. 334. With a summary in English, 14 pp. Appendix with tables.)

The basis of this study is material concerning over 5,000 male collaborators who were sentenced to prison for participation in one of the German or German-controlled corps which were established in Denmark during the last war. These 5,000 constitute about 40 per cent. of all the collaborators who were sentenced to terms of imprisonment. The material falls naturally into three main groups: Danish citizens belonging to the German minority in South Jutland, members of the Danish Nazi party, and collaborators from the remainder of the Danish population. The author and his assistants have interviewed over half of the 5,000 men, while information about the rest is based on documents, official records, and the like.

The author's point of departure is the assumption, unquestionably correct, that group resistance to co-operation with German occupation authorities was weakest within the German minority, somewhat stronger among members of the Danish Nazi party and definitely strongest in the rest of the general population. From this basis and guided by Thorsten Sellin's theories on the relation between group resistance and criminality, two hypotheses are formulated: (1) Stronger group resistance, other things being equal, leads to fewer criminal acts. (2) An increase of group resistance will, other things being equal, give rise to an increase in the number of criminals who deviate from the general population in regard to mental and/or social factors. The explanation for this is that the stronger social pressure against a crime is, the greater must be the personality deviations of those who resist and overcome it.

The author tests the correctness of these two hypotheses by (a) investigating the frequency of collaboration among the three categories of the population named above, which have had different group resistance to overcome; and by (b) comparing the strength of the group resistance which collaborators in the three groups overcame with the frequency of their social deviations. The investigation is concerned not with psychical aberrations but with social deviations in regard to family relations, previous criminality, unemployment, and other social relationships. The results of the study seem to confirm the hypotheses. In the first place, the author finds that by far the largest percentage of those penalized for collaboration was among the German minority (26 per cent.), considerably fewer among the members of the Danish Nazi party (12 per cent.), and fewest among the remainder of the population ($\frac{1}{2}$ per cent.). Thus the crime of collaboration was most frequent among those who had the least group resistance to overcome, less among those with somewhat stronger group resistance, and least among those who met the greatest group resistance. Correspondingly, the author also finds that (1) the convicted collaborators from the German minority had no more social deviation than the general Danish population; (2) there were indications of negative social deviation among members of the Nazi party, who had overcome a certain amount of group resistance; and (3) there were significantly greater negative deviations among collaborators from the rest of the Danish population, who had overcome the greatest group resistance.

It is perhaps not surprising that the author found support for his hypotheses in this study although, as he himself points out, support is not proof. One might maintain that the correctness of the hypotheses set forth is so obvious from a common-sense point of view that the author might better have used his energy and talent on a more important problem. Against this argument it may be said that many hypotheses in the course of time have been advanced as self-evident which later scrutiny proved false. The history of criminology is rich in common sense theories which more careful analysis revealed to be 'common nonsense'.

It was therefore important that these hypotheses were tested, and it is praiseworthy that the investigation was carried out in a methodologically competent way. The author, who has had extensive experience in criminological research, has made an important contribution to the clarification of essential problems of method. He himself rightfully emphasizes how important problems of method are to future progress in criminology. These problems, be it added, are by no means peculiar to criminology. Wherever the problem arises of identifying the motivations of human behaviour, especially the causes of behaviour which deviates

from social norms, whether criminal or not, there one will meet problems of method which are in principle similar to these. This gives greater hope for the solution of such problems than if they were left to criminologists alone.

ANDERS BRATHOLM.

Institute of Criminology and Criminal Law,
University of Oslo.

SEDUCTION OF THE INNOCENT. By Fredric Wertham, M.D. (London: Museum Press. 1955. Pp. 397. 21s. net.)

Written by a free lance psychiatrist well known in the U.S. and other countries, this book on the relation of 'horror comics' to delinquency is somewhat difficult to assess. As the title, dust cover, lay-out and content clearly indicate, it is a propagandist volume intended to whip the public conscience into action regarding the deliberate inculcation of sadistic and perverted sexual phantasy in the minds of juveniles of both sexes for purposes of profit. On the other hand, the author has spent many years in the study of the subject and his book is interspersed with comments, mainly of a critical nature, regarding the theories and attitudes maintained on the subject by a number of his fellow psychiatrists; and to that extent it can be read with more than passing interest by a professional public.

From either point of view two comments are appropriate: first, that the author has a very sound case to present and, second, that he damages it by over-writing, indiscriminate criticism, and absence of adequate control researches. The case against deliberate seduction of the young cannot be gainsaid, indeed has been succinctly expressed in the twin adjuration of the Lord's Prayer, 'Lead us not into temptation; but deliver us from evil'. As to the nature of evil there is a general consensus of opinion, both naïve and instructed, that sadism and any derivative of human aggression pursued for its own sake can be so designated. The position of sexual activity either normal or perverted is not so clear. To the Catholic priest any sexual gratification that is not pursued for purposes of procreation is a 'sin'; to the more complaisant minister of religion, extra-marital sexuality and, within marriage, perverted practices are either sins, immoralities, or obscenities; whereas to the psycho-biologist they are simply sexual activities either conforming to or deviating from heterosexual patterns. If then for the sake of unanimity we confine our attention to non-sexual aggression and to sadism (leaving out of account the dubious position of masochism) we may go on to say that if a 'good example' is a desirable educational influence, a 'bad example' is *a priori* an undesirable one. And, to judge from the illustrations culled from horror comics and reproduced in this book, the newspaper companies, editors, artists and caption writers are as guilty of the attempted sadistic seduction of minors as they would be if they personally led the child to a couch and sought to excite and pervert him by word of mouth or by hand.

So much may be freely conceded. Dr. Wertham indeed deserves well of his countrymen for the bold stand he has taken against vested publishing interests and the lethargy of the average parent. He may even be forgiven the moral indignation which leads him to regard as obscurantist any reservations that may be expressed, by other psychiatrists, educationalists or social workers regarding the importance of the precipitating factors in delinquent conduct. But it would be equally obscurantist on his part to deny that factors other than precipitating factors must be taken into account in assessing the influence or the motivation

of horror comics. The very title of this book 'Seduction of the Innocent' begs one of the major questions of sexual development. Dr. Wertham is too good a clinician to believe that in matters concerning sadism or any other form of aggression or sexuality the child is just an innocent 'trailing clouds of glory'. He must know that, as regards fundamental sexual and aggressive impulses, there is little to distinguish the ordinary child from the editor who seeks to pervert him for gain; that as far as unconscious impulse goes horror comics are written by sadists for sadists. Hate, aggression and polymorphous sexuality (which the adult regards as perverted) are infantile products. The main differences between the child and the adult are the degree of organization of defences against unconscious impulse, and the fact that the adult has not only freer outlet for sublimations but a considerable degree of gratification for heterosexual impulse, which offsets the tendency to react to sexual frustration and inferiority with regressive violence. And, for the matter of seduction, it is common knowledge that there are many children between the ages of eight and early adolescence who could give their seniors points and a beating at this game.

Dr. Wertham knows all this perfectly well and on the whole treats the theories of Freud with respect, but, in his conviction that he has uncovered one of the main precipitating factors in delinquent conduct, he is inclined to treat the opinions of those child-guidance experts who venture to disagree with him with impatient contempt. In some instances no doubt his disapproval is justified, for in many matters of practical child nurture, the child specialist can be and often is as stupid as anyone else. But this does not justify Dr. Wertham in advancing a one-factor theory of delinquency. This too Dr. Wertham knows and from time to time admits, but in his eagerness to build up the case against horror comics, these qualifications are submerged in a mass of repetitious material. And although he frequently refers to the scientific nature of his studies, he neglects to provide those tables of controlled statistical investigation which would add force to some of his conclusions. Not only so, he accepts too easily the rationalized confessions of delinquents and parents who lay the responsibility for delinquent behaviour exclusively on the existence of horror comics. The truth is that, like all other factors in the etiology of 'pathological' delinquency, the influence of horror comics has to be assessed dispassionately and in relation to the three main factors in predisposition, viz. constitutional, developmental and precipitating. And each of these investigations must be rigidly controlled by parallel studies of non-delinquents.

But, when all is said, the problem of seduction is one that society must face and solve. That it bristles with difficulties in no way detracts from its urgency. That it is by no means confined to the horror comic but can be studied in publications ranging in status from children's A.B.C. books to periodicals such as the *New Yorker* merely indicates that the line between expression and seduction is difficult to draw. Dr. Wertham deserves credit for pointing out that, in the case of the commercial horror comic, no such difficulty exists.

E. G.

REVIEWS

ENTWICKLUNG, AUFGABEN UND METHODEN DER STRAFRECHTSVERGLEICHUNG. By Hans-Heinrich Jescheck. (Tübingen: J. C. B. Mohr—Paul Siebeck. *Recht und Staat in Geschichte und Gegenwart*, Nos. 181–82. 1955. Pp. 44. DM.3.80.)

In this inaugural lecture, the present Director of the well-known Institute of Foreign and International Criminal Law at the University of Freiburg has given a brief but admirably clear and informative survey of the many problems existing in his field. The lecture and some of the other publications listed in this section of the *British Journal of Delinquency* are of particular interest in connection with the work of the international congresses reviewed in the present issue, as demonstrating the significance of comparative studies in Criminology and Criminal Law. Professor Jescheck treats his subject under three headings: historical development, tasks and methods of the comparative study of the Criminal Law. In the historical section he refers in particular to the important part played in this field by German scholars in the nineteenth and early twentieth centuries, culminating in the monumental fifteen volumes of the 'Vergleichende Darstellung des deutschen und ausländischen Strafrechts' of 1905–9, and to the difficult position of Germany after the Second World War, now gradually changing through the resumption of interrupted contacts with foreign organizations and scholars, assisted in particular by UNO, UNESCO and the various recent international congresses. In his discussion of the main tasks of comparative studies the author poses the question whether comparative studies can claim the same undisputed value in the field of Criminal Law as in other spheres, such as, e.g., Commercial or Public and Private International Law. His affirmative answer is convincing, coupled as it is with his awareness that the purely dogmatic analysis of the Criminal Law has lost its previously dominant position to the more practical tasks of *Kriminalpolitik*. The author also shows that there is now a growing body of international Criminal Law in existence of which the Genocide Convention of 1948 is only one of many examples. Moreover, while the complete unification of the European Criminal Law is a utopian idea, there is, as the author rightly stresses, an urgent need for a common terminology in this field as, we might add, in that of Criminology.

In his methodological section Professor Jescheck asks whether the comparative study of law has to be regarded only as one of the methods of legal studies or whether it can claim the dignity of a separate discipline. For good reasons, he is content with the first alternative, as the complete separation of methodology from its subject and the resulting emergence of a separate body of specialists in methodology would hardly be welcome. His remarks on this question are of particular interest to criminologists as in our field, and even more so in that of Sociology, notably in the United States, certain tendencies in this direction have recently become apparent. However, this is too big a subject to be adequately treated in a brief review.

H. M.

SAMMLUNG AUSSERDEUTSCHER STRAFGESETZBÜCHER IN DEUTSCHER ÜBERSETZUNG.
(Institut für ausländisches und internationales Strafrecht. Berlin: Walter de Gruyter & Co. 1955.)

- No. 67: 'Das Türkische Strafgesetzbuch vom 1.3.1926.' Translation and Introduction by Naci Sensoy and Osman Tolun. Pp. xv + 141. Price DM 17.
No. 68: 'Das Dänische Kriminalgesetzbuch für Grönland vom 5.3.1954.' Translation and Introduction by Franz Marcus. Pp. 39. Price DM 4.80.
No. 69: 'Das Spanische Strafgesetzbuch vom 23.12.1944.' Translation and Introduction by Antonio Quintano-Ripollés, Johanna Heilpern de Quintano and Helmut Scharff. Pp. xiii + 109.
No. 70: 'Die polnische Strafgesetzgebung seit 1944.' By Georg Geilke. Pp. 143. Price DM 18.

Of these four most recent additions to the admirable series of foreign criminal codes in German translations (see *B.J.D.*, Vols. IV, p. 214, and V, p. 162), the Danish Criminal Code of 1954 for Greenland is by far the shortest, but also the most interesting. It is one of the few examples of criminal legislation based on planned sociological-legal research which, in this case, was undertaken under the direction of the Danish Government by some of its officials. The need for such research was obvious. In this vast territory with its tiny population of 22,000 inhabitants which, for more than 200 years, had been a Danish colony until it became part of the motherland in 1953, there was no written law. Legislation had therefore to start from scratch, and the closest attention had to be paid to unwritten customs, rules and traditions and also to the climatic and economic peculiarities of the country. There is very little stigma attached to crime in Greenland, which together with the lack of manpower explains the absence of imprisonment, expulsion from the community and the death penalty and the general leniency of penal sanctions. This criminal code is probably unique in not providing specific sanctions for each type of offence defined in its first Part, but leaving it altogether to the criminal courts to select the appropriate measure from the list provided in the second Part. The principal measures are fines, probation, conditions of residence, forced labour and compulsory training, and detention in suitable buildings which are, however, not prisons.

The Turkish Criminal Code is modelled mainly on the Italian Code of 1881, but there have been many amendments, in fact according to the editors nearly one-half of all its sections have been changed since 1926. Capital punishment is still used, not only for aggravated murder, e.g. in cases of blood vengeance, (sect. 450), but also for certain serious cases of drug trafficking (sects. 403-5). There is no death penalty for persons over the age of sixty-five (sect. 56). Criminal responsibility begins at the age of eleven (sect. 53). Homosexual activities are not punishable.

Some of the characteristic features of the Spanish Criminal Code are, in the words of Dr. Quintano-Ripollés' introduction, its great length (604 sections) and casuistic nature, understandable in view of its history which goes back to the Code of 1848-50. It is, as the editor writes, the work not of legal technicians and scholars but of politicians and practitioners.

The volume devoted to Polish criminal legislation consists of a large number of statutes passed since 1914. According to the editor, the preparatory work on the new Criminal Code which began in 1950 and has made considerable progress seems to have come to a temporary halt because the Government is waiting for the completion of the new Soviet Criminal Code to which the Polish Code will have to be adjusted. As this may take some time, the present legislation is likely to remain in force for several years.

H. M.

WOMEN OF THE STREETS. Edited by C. H. Rolph. (London: Secker and Warburg, 1955. Pp. xvi + 248. 21s.)

C. H. Rolph is the pen-name of a writer whose training and experience amply qualify him for his task. The original report to the British Social Biology Council, the basis of this book, was compiled by a woman whose name is not given; it is much smaller than was originally planned. The courage and persistence of those who made contacts with these many prostitutes deserve great praise.

This is a depressing book. It does not profess to offer suggestions about ways in which the age-old problem could be tackled, and all the familiar proposals of would-be reformers are shown to be somewhat futile. Increase the fines? Demand sureties for future good behaviour? Probation? Short sentences to prison? Licensed brothels? Compulsory medical examination? This book shows that none of these methods is likely to avail to any large extent. Much personal contact and considerable investigation about them have resulted in this comment about present efforts: 'How negligible is the effect on them of the present legal sanctions against them.' As Lord Cranbrook wrote in his Introduction to the book, 'the social and legislative approach to the problem is apt to be based more on prejudice and instinct than on calm appreciation of facts and figures'.

There are plenty of facts and figures in the book, but they do not suggest any hopeful course which the law and the courts could take. As is shown, some prostitutes can obtain what they want without any 'solicitation' or 'annoyance' to passers by. 'A tradition of place and behaviour has grown up whereby a man, seeing a woman loitering in a certain street, may assume that she is a prostitute. The position is so well defined in some places that the girl feels that merely by standing she is doing enough.' The reader is tempted to feel that, so long as men want the services of prostitutes, the supply will continue.

Many actual cases are described in detail and it is significant that half of these at least came from bad or broken homes. Only in three cases is it clear that these women came from good homes, while in two more this may have been so. Many cases show the appalling consequences of adolescent ignorance about sex. This is particularly so with girls coming from convent schools and other places where no instruction and help about sex is given. 'Many have accidental illegitimate children before they become prostitutes', it is stated, but the report adds that 'this factor plays only a small part in influencing their careers'. Apparently most young women take to the life without counting the cost because high earnings are possible with easy hours.

Every member of the Departmental Committee now considering this problem should study carefully the whole of this book. It should provide a valuable antidote to much of the advice that good inexperienced people are giving.

CLAUD MULLINS.

SELF PORTRAIT OF YOUTH. By G. W. Jordon and E. M. Fisher. (London: William Heinemann Ltd., 1955. Pp. 175. 12s. 6d.)

This little book is written by the very experienced warden and assistant warden of a large London evening recreational institute (club) for adolescents (fourteen to twenty-one years) of both sexes. While it is easy to attract young people into a warm building where they may meet their fellows, it is not so easy to engage them in constructive pursuits, nor to overcome the apparent apathy and lack of initiative that so many of them show. The writers were not dismayed by these and other difficulties inherent in the work—the cliques, the hanging about corridors, the discouragement through ridicule of those who started constructive work—nor by the inconsistencies, distrustfulness and unpredictability of adolescents in general.

The main theme is that the young cannot be helped without first being understood, and that they cannot be understood without their own co-operation and consent. Consequently a selected group was taken into the confidence of the staff and encouraged to examine and report upon their own and other young people's views and activities. The descriptive records of the staff and of this observer group largely contribute to the text, and certainly make it lively and interesting.

In the chapter on 'The Problem Adolescent', fifty offenders are described; in only four of these did the boy seem 'more antisocial than the norm', the others were 'the ordinary adolescent in his unlucky moments'. The authors raise again the question why some manage to retain an unblemished record and good personal qualities, despite delinquent siblings and a grossly unsatisfactory home.

In general the approach is an optimistic one and underlines the need to provide more rationally for the needs of struggling adolescence.

PETER D. SCOTT.

THE EMOTIONAL PROBLEMS OF CHILDREN. By Harry Joseph, M.D., and G. Zern. (New York: Crown Publishers. 1954. Pp. 310. \$3.75.)

This book is subtitled 'A Guide to Parents' and is also directed in some degree towards teachers. It deals in the first section with emotional development and behaviour from infancy to adolescence, taking note of such matters as bowel training, feeding difficulties, on to adolescent desires for independence. A chapter is devoted to the more serious behaviour disturbances and psychiatric illnesses. A further section is concerned with the psychiatric background and approach, therapy and psychological testing. A final section is mildly informative about play, reading, music, dramatics, etc., in the life of children.

The book follows what is in some ways a familiar pattern. The upbringing of children is dealt with in terms of some developmental psychology, some psycho-analytic theory, some educational method and the authors' personal views and experience. With the latter the reader may not always be in full agreement. That it is addressed to the American public, presumably more sophisticated in theories of child upbringing, accounts for some disconcerting unevenness in the levels of discussion. Thus a sound section on bowel training, with due emphasis on the undesirability of rigidity in this field is followed by alarming illustrations of compulsive and obsessional personalities related to undue compliance, and delinquent and psychopathic behaviour related to rebellion in infancy. It is

difficult to see how a parent, after reading this section, can approach the question of bowel training with the 'calm and matter of factness' advocated earlier. A chapter on 'disturbances in children' is open to similar criticism. A list of conduct disorders, some of which are manifest in most boys at one time or another, is in the absence of organic disorder firmly related to 'parental hostility and rejection'. This is followed by two pages devoted to schizophrenia in childhood, for which there appears to be little justification in such a volume.

While the volume contains much that is valuable and informative, it is, in the reviewer's opinion, marred by such disregard for the effects of its impact on the public to which it is directed.

KENNETH CAMERON.

PROBLEM FAMILIES. The Fourth Report of the Southampton Survey. By P. Ford, C. J. Thomas, E. T. Ashton. (Oxford: Basil Blackwell. 1955. Pp. 51. 4s.)

'It is with the social problem family in the administrator's sense that this study deals primarily'—and ably, one would like to add after reading this account of Southampton's effort to review its own problem families in relation to previous inquiries and current administrative resources. It is rewarding to share some of the thinking that has gone into this honest attempt to create some order in the chaos produced by the habits of problem families. That the need is experienced in many settings is corroborated by another recent publication by a sub-committee of the Central Housing Advisory Committee, entitled 'Unsatisfactory Tenants' (H.M.S.O., 1s. 9d.), but that consideration of such families from the administrator's point of view is helpful in reducing the problem is, I think, open to question. Problem families are an administrative headache and it may reduce the anxiety and frustration of those dealing with such families to attempt a systematization by symptom. From the case-worker's point of view (and the report considers these are case-work problems) something much nearer a worm's-eye view, or at any rate a client's-eye view, might be much more valuable. I found the four pages rather despondently devoted to 'Lines of Remedial Action' a disappointing sequel to the excellent statement of the problem: 'These families are caught in an entanglement of external circumstances and their own personal weaknesses and we want to know the points at which difficulties occur at which help can be given and at which we can break into the vicious circle.'

JOAN SMITH.

LEGISLATION AFFECTING PSYCHIATRIC TREATMENT. Further Report of the Expert Committee on Mental Health. (London: H.M. Stationery Office. 1s. 9d.)

This addition to the World Health Organization Technical Report series has the excellent and refreshing qualities of many of its predecessors. With so many social and legal systems to be considered, the report necessarily deals with first principles but it is refreshing to have those set out clearly. 'The first necessity for which the law should provide is the recruitment and training of specialized professional staff'; such services will considerably reduce the number of patients for whom compulsion is required and reduce restrictive legislation. It will interest forensic workers that the Committee approves the much-debated suggestion of compulsory supervision of out-patients, before an offence has been committed, of those whose condition seriously threatens themselves or others, if the relatives consent. Though it should be possible to transfer mental patients easily from

prisons to mental hospitals, it is considered undesirable for judicial authorities to have power to commit convicted prisoners to civil mental hospitals by reason of mental illness. Such cases should be dealt with in the penal system. Mentally sub-normal children should be distinguished from those 'whose emotional development is stunted or warped' and should be treated in separate institutions.

T. C. N. GIBBENS.

ANTHROPOGÈNE ET CRIMINALITÉ. By Pierre Grapin. (Paris: Legrand et Cie. 1954. Pp. 120. 1,200 fr.)

The first half of this monograph consists of a survey of the evolution of the human brain and skull, and a historical survey of the typological approach to criminality. The author's general viewpoint appears to be an old, and in many quarters, discredited one, namely that the criminal both in physique and mentality in some way represents a more primitive stage of human evolution. The author presents some measurements on the head and face of a sample of criminals of various categories (300 in number) and compares them with a sample of non-delinquents of the same size. Somewhat slight differences in some of the mean values of the measurements and of indices derived from them are shown. It appears to the reviewer that in this kind of study, the greatest care should be taken that the samples compared are adequately matched in respect of all features, other than the one under study, in this case criminality. The nature of the control sample in this work seems to be quite insufficiently described, and the interpretation of the results doubtful.

N. A. BARNICOT.

FINAL CONTRIBUTIONS TO THE PROBLEMS AND METHODS OF PSYCHO-ANALYSIS.

Sandor Ferenczi, M.D. (London: Hogarth Press and Institute of Psycho-analysis. 1955. Pp. 417. 30s. net.)

Ferenczi was the most brilliant, imaginative and stimulating of the early group of psycho-analysts. His works are now available in English in three parts, of which this is the third and last. The present volume is a somewhat scrappy selection of various papers, notes and fragments and has no special appeal to the delinquency worker, except where it deals with child education and child analysis. Those who are specially interested in psycho-analysis will find it challenging within the limits of its unfocused aims.

E. G.

AN ELEMENTARY TEXTBOOK OF PSYCHO-ANALYSIS. By Charles Brenner, M.D. (New York: International Universities Press. 1955. Pp. 219. \$4.)

The literature of psycho-analysis is lacking in simple outlines of psycho-analytical theory which do not sacrifice accuracy to the needs either of simple presentation or of condensation. This is an unusually good book of its kind; its only flaw is a somewhat sketchy chapter on psychopathology. The author would have done better to make this the subject of a second volume and is recommended to do so. It is excellently adapted to the needs of psychiatric and other social workers, or, for that matter, psychiatrists who have dipped into larger works on psycho-analysis without gaining very much perspective in the process.

E. G.

PSYCHO-ANALYSIS: PRACTICAL AND RESEARCH ASPECTS. By W. Hoffer. (London: Baillière Tindall and Cox. 1955. Pp. 102. 27s. 6d.)

This is a series of six Flexner Lectures delivered at Vanderbilt University. It deals with different aspects of psycho-analytic theory and practice, but is concerned in the main with problems of child development and of child psychiatry. Written simply and persuasively and clearly based on lengthy practical experience, the book is recommended as an introductory volume to those interested in child study and treatment. E. G.

CLINICAL PAPERS AND ESSAYS ON PSYCHO-ANALYSIS. By Karl Abraham, M.D. (London: Hogarth Press and Institute of Psycho-Analysis. 1955. Pp. 336. 25s. net.)

Karl Abraham was at the same time one of the most outstanding of psycho-analytical clinicians, an excellent teacher and a persuasive writer. The present volume can be read with profit by expert and layman alike. It is of especial interest to delinquency workers in that it contains an early study (1925) in delinquency entitled, 'The History of an Impostor', which is not only of clinical interest but gives a general idea of the uses of psycho-analysis in criminological work. The book should be read in conjunction with an earlier volume of Collected Papers by this writer published in the same Library Series (No. 13). E. G.

ALCOHOL AND ALCOHOLISM: REPORT OF AN EXPERT COMMITTEE. (World Health Organization Technical Report Series, No. 94. Geneva. Pp. 14. 1s. 9d. net.)

This brief report of the conclusions of a committee of experts on the alcoholisms, a group of conditions which both behaviouristically and from the point of view of etiology is of considerable importance in the study of delinquency, is a thoroughly disappointing and pedestrian document. It deals briefly and without much understanding with the definition of terms such as 'craving', 'inability to stop drinking', 'loss of control' and 'blackouts'; indicates equally briefly and not too accurately the relation of alcoholism to drug addiction, and calls attention to the existence of 'borderline' groups. No doubt it is useful to discuss these and other terms but the discussion touches on no problem which has not been familiar to experienced observers for the past thirty years and in fact leads nowhere. It is difficult to conceive how an expert committee could have been so inexperienced in dealing with a problem of such psychological and social dimensions. E. G.

JOURNEY INTO A FOG. By Margareta Berger-Hamerschlag. (London: Gollancz. 1955. Pp. 254. 18s.)

The success of all work demanding the subtle alchemy of personal relationships lies not so much in the training of the worker as in her ability to understand the emotional demands of the client, and to answer them or to deflect them harmlessly. The authoress has one of the pre-requisites of this ability, 'a never-satisfied curiosity regarding other people which at times went to extremes, when I would identify myself with someone else and long to produce a spark often from the most unlikely matter'. Certainly, at the Youth Club in the slums where she taught Art she had 'the most unlikely matter': adolescents as starved of food as of

affection, security and stable family life; bored, dis-spirited, completely unaware of the beauty and sensations beyond the shadow-world of the pictures, T.V. and cheap books and comics; unable to express any but aggressive and primitive love, because of a half-hidden belief that love = sex and that sex is dirty; many with no or little schooling beyond the bare rudiments and many seemingly of very low intelligence; almost all acutely hostile towards and suspicious of adults, authority and society, and complete hedonists.

Your reviewer found himself comparing the author's observations with those he has made on maladjusted children, e.g. the ambivalent behaviour of these adolescents is most marked, and is like that of the maladjusted child in its intensity and rapid changes; a creative adolescent is often seized by a compulsive desire to destroy a picture or model that he has made, and is so suspicious of and hostile to the author's genuine praise or interest as to suggest a quasi-neurotic fear of love and affection; their dreary pornography, the author found to alternate with periods of frigid Puritanism, especially by the girls; their intolerance of anything that is new or unfamiliar, and their hostility when the author tried to persuade them to experiment; the number of boys who expressed a desire to kill or to destroy, which the author felt to be a genuine emotion and not a show put on for her benefit; the large group who, the author felt, wanted to have a normal relationship with her, but were unable because 'they just don't know a normal relationship'.

The morals of this book are not original, but it does nothing but good to rub them in: the problem of coping with juvenile delinquents (and other anti-social people) is socially that of offering a full emotional life, and psychologically that of helping individuals to enjoy it. Do we look with enough care and enthusiasm for those who are able to do this, not only in youth clubs, but in schools for mal-adjusted children, approved schools, Borstals, prisons and all fields of social work?

LEONARD BLOOM.

THE VERDICT OF YOU ALL. By Rupert Croft-Cooke. (London: Secker and Warburg. 1955. Pp. 254. 15s. net.)

The first three chapters of this personal narrative give a vivid description of the sequence of events leading from the author's arrest on a charge of gross indecency to his conviction and sentence of nine months' imprisonment some three months later. In the next chapter we get an excellent, almost documentary, account of reception at Wormwood Scrubs Prison and the subsequent steps and stages by which admissions work up to their privileges and allocations. After this we are introduced off and on to a variety of offenders and criminal types, and given animated thumbnail sketches of the author's experiences with them and the prison régime. What he has to say about homosexuality in Chapter 8 is worthy of notice. But the homosexual at Wormwood Scrubs is not in fact debarred from being appointed a Red Band, Leader, or allocated to open prisons, the selection being made on general suitability and not on the nature of the offence. The account of sordid blackmailing exploitation of the homosexual in civil life is not exaggerated, and the seriousness of this corner in crime is overdue for the attention of the legislature.

Mr. Croft-Cooke depicts himself as a somewhat quixotic gregarious character, good company and likeable by those who do not rouse his animus (which he admits) against what he feels to be pedagogic authority and stuffy middle-class conventionality. Consequently, he easily sympathizes with the underdog in prison, and gives many examples of his tendency to tilt provocatively against executive authority as it ascends the scale. His inferences sometimes attribute motivations that have other and quite simple explanations; for instance, over his transfer to and return from Brixton Prison. And it is not easy to determine whether it is his enthusiasm or his emotions that are responsible for some of his opinions with which it is difficult to agree. But since the mass of society is either content to remain ignorant of what happens to those it sends to prison, as was the author prior to his conviction, or is satisfied with a *lex talionis* formula, this book serves a useful purpose; it takes us all 'inside', and it reminds society that its responsibility does not end when the prisoner is hurried below after the judge has pronounced sentence in court. This account of a first offender's experiences in prison is instructive if one makes allowances for the latitude that the novelist permits himself over the historian.

Mr. Croft-Cooke is really inviting his readers to pronounce verdicts on a number of issues. On the main issue he assembles quite a formidable document in support of his denial of the charges for which he was sentenced; and so one found oneself speculating why this rebel personality dropped his appeal. This is admittedly always a hard decision for a tired and disappointed man in prison, and it would certainly be unfair to regard it as an implication of guilt. One possibility that occurred to mind, based purely on his own picture of himself, is that some factor—perhaps the opportunity of 'copy' to a writer—paved the way to one of those subtle compromises that allow a withdrawal from an unequal struggle. From this point his intention to write up his experiences in prison never flagged, and undoubtedly sustained him through his six months' ordeal.

J. C. MACKWOOD.

ABSTRACTS

The Editors regret that, owing to lack of space in this issue, they are compelled to hold over the Abstracts section until the April number.

CORRESPONDENCE

TO THE EDITORIAL BOARD.

SIRS,

The editorial comments in the July issue of the *British Journal of Delinquency* refer to the need, which I agree so obviously exists, for a table of after histories prepared by those treating delinquent cases, so that, in effect, the results of different methods may be compared and discussed. As I am specifically mentioned in this connection I think I should state that at Red Hill School we have made careful enquiries from the year 1934 until 1954 twice a year upon the behaviour and adjustment of all pupils who have left the school. Thus some have been the subject of that enquiry during about twenty years and others for only a few months, depending upon the date of their leaving the school.

In the figures, which relate to boys only, although similar figures exist in the cases of girls, the term 'cured' means that a radical resolution of the child's maladjustment took place and that the after history shows him to be balanced, happy and contented. To be 'improved' means that the child now earns its living usefully, has not been in trouble with the law and is most unlikely to be in such trouble, but that the resolution of its conflicts is incomplete. Superficially the 'improved' cases appear well and orderly.

Boys

Cured	139
Cured/Improved	5
Improved	22
Improved/Failures	4
Failures	24
Withdrawn prematurely against our advice or withdrawn from residence at the school at our request after a short probationary period or a more protracted observation	
	15

It should be realized that, with hardly any exceptions, the home backgrounds in all the above cases can only be described as being very bad. The children, when considered individually, are reacting in the way expected to adultery, infidelity, dishonesty, and all manner of emotional entanglements of an extremely complicated kind within the home. It should be further appreciated that some of the above children are either illegitimate or adopted and that in most cases the relationships between the mother and father are very bad.

After histories are maintained by contact with local education authorities, psychiatric social workers, probation officers, parents, visits of pupils to the school and correspondence from and to old pupils.

As a result of some regard being given to after histories, we have certain views about the type of child for whom our system appears to be most appropriate, and these views, based upon our experience and the after histories, affect, to some extent, our selection of new pupils.

Whilst the above table is kept up to date every year, we should point out that we prepare from our detailed records a summary of the cases that have left during each year, concluding such a summary with our prognosis for the after history. As each pupil's date of leaving goes further into the past we check the prognosis given at the time of leaving with recent events, and a most recent checking revealed that there have been some entirely unexpected remissions of symptoms during the years that have passed since the boy left the school. In some of these cases the intimacy of contact is sufficient for us to suggest that the therapeutic process has continued after the boy left the school.

Perhaps one day we shall be able to persuade a research worker to investigate our collection of after histories. From our point of view it is a pity that pressure of work with present cases prevents us giving such scrutiny as we would wish to our records.

Yours etc.,

OTTO L. SHAW.

Red Hill School.

5th August, 1955.

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